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HOUSE JOURNAL

OF THE

Nineteenth Legislative  
Assembly

OF THE

STATE OF MONTANA

---

Held at Helena, the seat of Government of Said State,  
commencing January 5th, 1925, and  
ending March 5th, 1925

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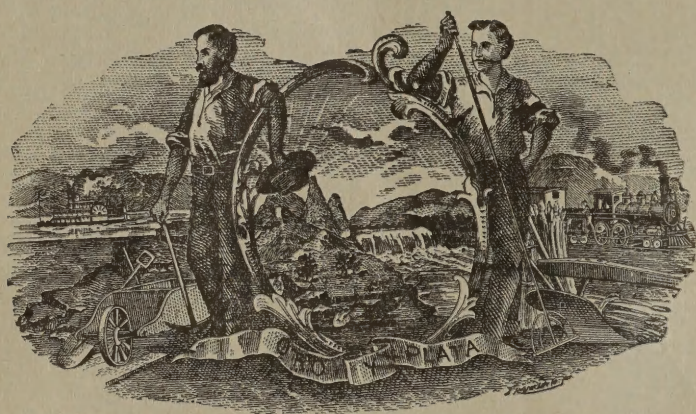
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# OFFICERS AND MEMBERS

OF THE

## 19th Legislative Assembly of the State of Montana

Governor, J. E. ERICKSON

Lieutenant Governor and President of the Senate, W. S. McCORMACK

Speaker of the House, R. C. BRICKER

### House of Representatives—19th Assembly, 1925

NAME	Residence	County	Politics
Akofer, Chas. A.	Valier	Pondera	Democrat
Ainsworth, A. S.	Thompson Falls	Sanders	Republican
Anderson, Parker T.	Twete	Blaine	Democrat
Andrus, W. W.	Miles City	Custer	Republican
Beadle, M. Kerr	Butte	Silver Bow	Democrat
Bergstrom, Theo. R.	Willard	Fallon	Democrat
Berryman, John J.	Billings	Yellowstone	Republican
Besancon, Albert	Missoula	Missoula	Democrat
Brandt, N. J.	Whitewater	Phillips	Republican
Bricker, R. C.	Windham	Judith Basin	Republican
Budas, Albert	Roberts	Carbon	Republican
Burns, Harry L.	Harlem	Blaine	Republican
Caplis, John J.	Butte	Silver Bow	Democrat
Campbell, John L.	Missoula	Missoula	Republican
Castles, William	Superior	Mineral	Republican
Clarke, W. E.	Forsyth	Rosebud	Republican
Cusick, W. M.	Kalispell	Flathead	Democrat
Davis, Glenn T.	Carlyle	Wibaux	Republican
Dellwo, Dennis A.	Charlo	Lake	Democrat
Donaldson, Harry C.	Fort Benton	Chouteau	Republican
Doran, Tod	Butte	Silver Bow	Democrat
Duncan, Houghton A.	Great Falls	Cascade	Republican
Eaton, Ernest T.	Polytechnic	Yellowstone	Republican
Fairgrieve, Alex	Washoe	Carbon	Republican
Fletcher, Samuel O.	Ryegate	Golden Valley	Republican
Flynn, W. P.	Miles City	Custer	Republican
Flachsenhar, W. R.	Terry	Prairie	Republican
Fitzgarrald, Mark D.	Stevensville	Ravalli	Republican
Fitzgerald, James T.	Butte	Silver Bow	Democrat
Fox, Thos.	Butte	Silver Bow	Democrat
Graybill, F. L.	Great Falls	Cascade	Democrat
Gordon, Fred E.	Hardin	Big Horn	Republican
Green, H. R.	Lindsay	Dawson	Republican
Harris, Orville	White Sul. Spgs.	Meagher	Republican
Hardcastle, Ernest A.	Butte	Silver Bow	Democrat
Hanson, Fred	Flaxville	Daniels	Republican
Hawley, Herb C.	Harlowton	Wheatland	Republican
Hedrick, E. O.	Moore	Fergus	Republican
Higham, J. O.	Belfry	Carbon	Republican
Holton, Albert	Cohagen	Garfield	Republican
Hoffman, Joseph	Reed Point	Stillwater	Republican
Holt, C. F.	Great Falls	Cascade	Republican
Joffray, E. N.	Clancy	Jefferson	Democrat
Johnson, Albert	Denton	Fergus	Republican
Johnson, Elmer	Glasgow	Valley	Republican
Kelly, Peter J.	Butte	Silver Bow	Democrat
Keeley, W. E.	Deer Lodge	Powell	Republican
Kennedy, J. D.	Philipsburg	Granite	Republican
Kinville, Sam	Butte	Silver Bow	Democrat
Larson, Robt.	Dagmar	Sheridan	Farmer-L.
Larsen, A. T.	Plentywood	Sheridan	Farmer-L.
Larson, Dr. E. M.	Great Falls	Cascade	Republican
Leavens, Robert	Billings	Yellowstone	Republican
Lemmon, C. A.	Anaconda	Deer Lodge	Democrat
Lincoln, T. E.	Kalispell	Flathead	Democrat
Loble, Lester H.	Helena	Lewis & Clark	Democrat
Masters, H. S.	Livingston	Park	Republican
Meagher, T. A.	Choteau	Teton	Democrat
Merritt, Clarence	Roundup	Musselshell	Republican
Miller, Timothy	Libby	Lincoln	Democrat
Morris, David C.	Fort Benton	Chouteau	Republican
Moss, G. M.	Whitefish	Flathead	Republican
Moriarity, J. J.	Circle	McCone	Democrat
Moulton, B. F.	Grass Range	Fergus	Republican



**HOUSE OF REPRESENTATIVES—Continued**

NAME	Residence	County	Politics
Murphy, C. F. ....	Anaconda .....	Deer Lodge .....	Democrat
Mulholland, M. J. ....	Butte .....	Silver Bow .....	Democrat
McAfee, J. H. ....	Kalispell .....	Flathead .....	Republican
McCarty, Mrs. Katherine .....	Glendive .....	Dawson .....	Democrat
McGrath, Leo J. ....	Butte .....	Silver Bow .....	Democrat
Nagle, Raymond T. ....	Helena .....	Lewis & Clark .....	Democrat
Nelson, Ben .....	Malta .....	Phillips .....	Republican
Nelstead, T. E. ....	Ekalaka .....	Carter .....	Republican
Patterson, Robert A. ....	Havre .....	Hill .....	Republican
Parlin, E. J. ....	Bozeman .....	Gallatin .....	Republican
Peat, W. C. ....	Missoula .....	Missoula .....	Republican
Peterson, P. A. ....	Browning .....	Glacier .....	Democrat
Plank, Leonard .....	Chester .....	Liberty .....	Democrat
Plumer, A. J. ....	Hysham .....	Treasure .....	Democrat
Reed, Grant .....	Townsend .....	Broadwater .....	Republican
Rice, Everett A. ....	Shelby .....	Toole .....	Republican
Ryder, Arthur .....	Froid .....	Roosevelt .....	Republican
Ruffcorn, Wm. M. ....	Glasgow .....	Valley .....	Republican
Rupert, C. A. ....	Melville .....	Sweetgrass .....	Republican
Sales, Allen .....	Bozeman .....	Gallatin .....	Republican
Schoening, Harry .....	Wolf Point .....	Roosevelt .....	Republican
Shields, Ed. ....	Great Falls .....	Cascade .....	Democrat
Smith, David R. ....	Helena .....	Lewis & Clark .....	Republican
Smith, Pearl I. ....	Dillon .....	Beaverhead .....	Republican
Steeves, M. D. ....	Livingston .....	Park .....	Republican
Stoddard, Si. ....	Anaconda .....	Deer Lodge .....	Democrat
Strange, G. B. ....	Stevensville .....	Ravalli .....	Republican
Throssel, Richard .....	Billings .....	Yellowstone .....	Republican
Tinsley, Bazel .....	Pony .....	Madison .....	Democrat
Troy, T. J. ....	Havre .....	Hill .....	Republican
Waite, W. T. ....	Broadus .....	Powder River .....	Republican
Walker, Noble M. ....	Lewistown .....	Fergus .....	Republican
Walton, John W. ....	Belgrade .....	Gallatin .....	Republican
Wuerthner, Julius J. ....	Great Falls .....	Cascade .....	Republican
White, Arthur .....	Savage .....	Richland .....	Republican
Wold, Ole M. ....	Laurel .....	Yellowstone .....	Republican
Woods, R. J. ....	Missoula .....	Missoula .....	Republican
Zeh, Fred W. ....	Missoula .....	Missoula .....	Republican

H. J. FAUST, Chief Clerk.



# STATE SENATORS

NAME	Residence	County	Politics
*Adams, W. K.	Sidney	Richland	Republican
Brownlee, Robert	Big Timber	Sweetgrass	Republican
Buttelman, Wm. H.	Willow Creek	Gallatin	Democrat
Corrington, G. H.	Ryegate	Golden Valley	Republican
Church, Ray	Helena	Lewis & Clark	Democrat
*Clark, T. L.	Sweet Grass	Toole	Democrat
*Conser, C. C.	Plevna	Fallon	Republican
*Cooper, George R.	Haugan	Mineral	Republican
Cowan, William T.	Box Elder	Hill	Republican
Delaney, F. W.	Terry	Prairie	Democrat
Dell, Frederick T.	Joplin	Liberty	Democrat
*Demel, C. W.	Billings	Yellowstone	Democrat
*Dowlin, Charles M.	Forsyth	Rosebud	Republican
*Duncan, M. M.	Virginia City	Madison	Democrat
*Garber, J. D.	Plains	Sanders	Democrat
Gilboe, Christian F.	Valier	Pondera	Republican
Green, John A.	Vida	McCone	Democrat
Greenup, L. F.	West Fork	Daniels	Republican
Griffin, James	Chinook	Blaine	Republican
Hazelbaker, Frank A.	Dillon	Beaverhead	Republican
Henderson, W. C.	Jordan	Garfield	Republican
*Kane, Thomas	Corvallis	Ravalli	Republican
*Leighton, Dr. I. A.	Boulder	Jefferson	Republican
*Leuthold, J. H.	Columbus	Stillwater	Republican
Linn, C. A.	White Sul. Sprgs.	Meagher	Republican
McCabe, F. A.	Blackfoot	Glacier	Republican
McCone, George	Burns	Dawson	Republican
McCormick, F. T.	Roundup	Musselshell	Republican
*McQuitty, I. S.	Harlowton	Wheatland	Democrat
*Mears, John L.	Geyser	Judith Basin	Republican
*Muffly, Chas. S.	Winston	Broadwater	Democrat
*Oliver, John	Ekalaka	Carter	Republican
*Page, John R.	Philipsburg	Granite	Democrat
Paul, W. J.	Deer Lodge	Powell	Republican
*Pauline, Robert	Kalispell	Flathead	Republican
*Peck, Chas. V.	Danvers	Fergus	Republican
Peden, W. A.	Hardin	Big Horn	Republican
*Peterson, Peter	Glasgow	Valley	Democrat
*Pomeroy, H. G.	Eureka	Lincoln	Republican
*Porter, S. H.	Big Sandy	Choteau	Democrat
*Rhoads, Harmon T.	Choteau	Teton	Republican
Schellenger, Guy			
Scofield, John L.	Biddle	Powder River	Republican
Shelver, Harry M.	Livingston	Park	Republican
Schnitzler, J. W.	Froid	Roosevelt	Republican
Smith, H. C.	Miles City	Custer	Republican
*Speer, J. W.	Great Falls	Cascade	Republican
Spencer, J. T.	Bridger	Carbon	Republican
Stewart, T. P.	Anaconda	Deer Lodge	Republican
*Staggs, W. L.	Wibaux	Wibaux	Republican
Survant, John	Malta	Phillips	Republican
Swift, Chas. R.	Hysham	Treasure	Republican
*Taylor, Chas. E.	Plentywood	Sheridan	Farmer-L.
Tower, Ralph R.	Polson	Lake	Republican
*Walker, T. J.	Butte	Silver Bow	Democrat
*Watson, Burton	Missoula	Missoula	Democrat

\*Holdovers. Elected in 1922.

FRANK CONE, Secretary.







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45	A Bill for an Act entitled: "An Act relating to bank depository bonds with personal sureties thereon and providing for the acceptance of notes properly secured in settlement of liability, and repealing all Acts and parts of Acts in conflict herewith." .....	43, 90, 109, 138, 139, 151, 158, 179, 196, 273, 278.
46	A Bill for an Act entitled: "An Act to amend Section 3704 of the Revised Codes of Montana 1921 as amended by Section 14, Chapter 77, of the Laws of the 18th Legislative Assembly of Montana 1923, relating to open season on fur-bearing animals."....	43.
47	A Bill for an Act entitled: "An Act amending Section 8286 of the Revised Codes of Montana of 1921, which relates to the execution of a power of sale contained in a mortgage of personal property by providing for attorney's fees when such power of sale is executed." .....	44, 79, 98, 131, 132, 251, 256, 281, 368, 369, 407, 420, 457, 557, 559.
48	A Bill for an Act entitled: "An Act to amend Section 11186 of the Revised Codes of Montana and Chapter 34 Revised Codes of Montana, 1921, relating to pawnbrokers." .....	44, 103.
49	A Bill for an Act entitled: "An Act to amend Section Number 1686 of the Revised Codes of Montana, 1921, regulating the letting of contracts for the improvement and construction of highways."....	44, 96, 124, 148, 149, 162, 168, 196, 277, 300, 314, 370, 385, 388, 392, 409.
50	A Bill for an Act entitled: "An Act to amend Section 916 of the Revised Codes of Montana of 1921, relating to expenses of the State Entomologist."....	44, 54, 77, 86, 99, 121, 145, 165, 179, 478, 555, 564, 591, 592, 598, 638, 639, 670.



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51	A Bill for an Act entitled: "An Act to repeal Section 4807 and amend Section 4808 of the Revised Codes of Montana of 1921, relating to searches by the county clerk and duties pertaining thereto."....	<i>Blackburn</i> <i>Condon</i> 44, 72.
52	A Bill for An Act entitled: "An Act to amend Section 5039 of the Revised Codes of Montana of 1921, relating to the powers of city councils, by inserting in paragraph No. 45 thereof, after the word 'Place' in the first line the words 'Within Or,' and by adding a new paragraph thereto to be known as paragraph "83" giving the city and town councils power to declare and determine what vegetation, within the city or town, shall be noxious weeds, and to provide the manner in which they shall be exterminated and for levying the cost of such extermination or removal as a special tax against the property." .....	<i>Simons</i> 44, 91, 110, 122, 148, 149, 322, 372, 401, 424, 458, 641, 670.
53	A Bill for an Act entitled: "An Act amending Section 985, of the Revised Codes of Montana of 1921, relating to the qualifications of school trustees."....	<i>Burns</i> 44, 64.
54	A Bill for an Act entitled: "An Act establishing the Eastern Montana State Normal College, defining the objects of its establishment, providing for the control, supervision and management thereof, and making the same a part of the University of Montana, and making an appropriation for renting, acquiring and equipping the necessary buildings therefor, and for the support, equipment and maintenance of said college." .....	<i>Andrews</i> <i>Davis</i> <i>Britton</i> <i>Wheeler</i> <i>Hutton</i> <i>Johnson</i> 44, 101, 223, 244, 256, 264, 265.
55	A Bill for an Act entitled: "An Act to amend Chapter XXXII of the Session Laws of 1923, amending Section 8275 of the Revised Codes of Montana of 1921, relating to chattel mortgages." .....	<i>Hanson</i> <i>Albert Johnson</i> <i>Walter Johnson</i> 44, 64, 77, 86, 99, 121, 145, 478, 556, 564, 566, 573, 581, 588, 610, 649.
56	A Bill for an Act entitled: "An Act to amend Section 1010 of the Revised Codes of Montana of 1921, as amended by Chapter 70 of the Session Laws of the Eighteenth Legislative Assembly of 1923, relating to transportation of pupils." .....	<i>Kelly</i> 44, 142, 173, 200, 216, 229, 257, 411, 457, 498, 499, 554, 564, 585, 611.
57	A Bill for an Act entitled: "An Act to amend Section 11956 of the Revised Codes of Montana of 1921, relating to the number of peremptory challenges of jurors allowed the state in the trial of criminal cases." .....	<i>Mason</i> 44, 65, 77, 86, 87, 100, 122, 145, 257, 276, 281, 282, 285, 299.



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58	A Bill for an Act entitled: "An Act to amend Section 123 of the Revised Codes of Montana of 1921, relating to consolidated clerkships." .....	<i>Anderson</i> 44, 65, 192, 321, 354, 371, 400, 401, 402, 416.
59	A Bill for an Act entitled: "An Act to amend Section 651 of the Revised Codes of Montana as amended by Section 1, Chapter 633 of the Laws of the Eighteenth Legislative Assembly of 1923, relating to arrangement, printing and voting of ballots at primary elections." .....	<i>Shonberger</i> <i>McAfee</i> 44, 141, 142, 173, 200, 214, 215, 349, 388, 401, 443, 445, 477, 589, 600.
60	A Bill for an Act entitled: "An Act to repeal Section 11504 of the Revised Codes of Montana, 1921, relating to driving a team on a sidewalk." .....	<i>Table</i> 45, 152.
61	A Bill for an Act entitled: "An Act to repeal Chapter 63 of the Laws of the Eighteenth Legislative Assembly of the State of Montana." .....	<i>Hogg</i> 45, 152, 167, 186, 187, 196, 227, 479, 555, 564, 568, 611.
62	A Bill for an Act entitled: "An Act to amend Sections 12103 and 12104 of the Revised Codes of the State of Montana, 1921, relative to the imposition of the death penalty; providing where said execution shall take place and designating the person who shall inflict the death penalty and providing for the return upon the death warrant." .....	<i>Joffray</i> 45, 60, 94, 104, 105.
63	A Bill for an Act entitled: "An Act to establish the Eastern Montana State Normal School; defining its objects; designating the manner of its location; providing for the control, supervision and management thereof, amending Section 841 of the Revised Codes of Montana, 1921, so as to place the institution under the control of the State Board of Education, and amending Section 852 of the Revised Codes of Montana, 1921, so as to make said school a part of the University of Montana, and providing for the selection of a site for the said school." .....	<i>Buten</i> <i>Hoffman</i> <i>Levenson</i> <i>Gordon</i> <i>Wash</i> <i>Phinney</i> <i>Langston, Ed</i> 45, 102, 221, 244, 256, 264.
64	A Bill for an Act entitled: "An Act to amend Section 8259 of the Revised Codes of Montana of 1921, relating to assignment of mortgages and requiring that assignments of mortgages shall contain the post office address of the assignee, and prohibiting the recording thereof unless containing such post office address." .....	<i>Brant</i> <i>Nelson</i> 55, 79, 99, 138, 139, 162, 168, 196, 257, 276, 285, 368, 369, 384, 388, 392, 409.
65	A Bill for an Act entitled: "An Act repealing Sections 11422 and 11423 of the Revised Codes of	<i>Guybell</i>



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	Montana of 1921, relating to false advertising of merchandise, and amending Section 11424 of the Revised Codes of Montana of 1921, relating to false advertising." .....	55, 72, 86, 96, 97, 119, 123, 124, 145, 166.
66	A Bill for an Act entitled: "An Act to amend Section 640 and 652 of the Revised Codes of Montana and repealing such portion of Section 1 of Chapter 133 of the State of Montana of 1923, as amending said Sections, all relating to primary elections." .....	<i>Alaska</i> 55, 79, 98, 123, 127, 129, 131, 132, 140, 148, 166, 316, 368, 476, 479.
67	A Bill for an Act entitled: "A Bill for an Act providing for abolishing the office of railroad commissioners and the Board of Railroad Commissioners of the State of Montana, and their salaries; transferring their duties to a board composed of the Governor, State Treasurer and Attorney General; to act without additional compensation; prohibiting free transportation of members and employees thereof; repealing Section 3779 and amending Section 3784 and 3785 Revised Codes of Montana of 1921." .....	<i>Rail</i> <i>Labor</i> 55, 73, 372, 373, 443, 473, 480, 495, 501, 524, 525.
68	A Bill for an Act entitled: "An Act to amend Section 4736 of the Revised Codes of Montana of 1921, relating to the opening and closing of certain county offices and repealing all Acts and parts of Acts in conflict herewith." .....	<i>Amendment</i> 55, 72, 86, 96, 97, 126, 140, 186, 199.
69	A Bill for an Act entitled: "An Act to amend Sections 12092, 12484, and 12485 of the Revised Codes of Montana of 1921, and to add one new Section to be designated Section 12485A, relating to imprisonment at hard labor in all cases of conviction for felony or misdemeanor where sentence of imprisonment is imposed; providing that persons confined in county jails under a judgment of imprisonment rendered in criminal action or proceeding shall be required to perform hard labor; providing that Board of County Commissioners shall prescribe and enforce rules and regulations under which such labor shall be performed; and providing that a county jail shall extend to and over any place or places of employment of the persons confined therein under a judgment of imprisonment in a criminal action or proceeding, in the county where such jail is situated; and repealing all Acts and parts of Acts in conflict herewith." .....	<i>Amendment</i> 55, 103, 116, 117, 163, 281, 368, 369, 391, 392, 443, 445, 477, 557, 559.



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70	A Bill for an Act entitled: "An Act to amend Section 4916 of the Revised Codes of Montana, 1921, relating to the fees of sheriffs." .....	<i>Smith</i> 55, 91.
71	A Bill for an Act entitled: "An Act to amend Section 4885 of the Revised Codes of Montana, 1921, relating to mileage and expenses of sheriffs." .....	<i>Kennedy</i> 55, 90.
72	A Bill for an Act entitled: "An Act prescribing the powers and duties of the State Fire Marshall; and amending Section 2737, Chapter 209." .....	<i>Flynn</i> 55, 96, 132, 140, 152, 159, 160, 253.
73	A Bill for an Act entitled: "An Act to regulate the construction and operation of moving picture shows and theatres showing moving pictures, to provide for an inspection fee for operating the same and to place supervision of such shows and theatres under the department of the State Fire Marshal." .....	<i>Flynn</i> 56, 152, 244.
74	A Bill for an Act entitled: "An Act relating to salaries, office hours and quarter of Justice of the Peace in certain townships and amending Section 4929 of the State of Montana for 1921 being a part of Chapter 35 of Part IV of the Political Code of the State of Montana of 1921, entitled: 'Salaries and fees of county officers and deputies, jurors and witnesses.'" .....	<i>Kelley</i> 56, 72, 86, 123, 124.
75	"An Act authorizing Wilsie M. Cramer to commence, institute and prosecute to final determination an action at law against the State of Montana for the purpose of determining a certain controversy now existing between the said Wilsie M. Cramer and the State of Montana in connection with the sale of certain land situated in Flathead County, Montana, to the State of Montana, for the use of the State Game and Fish Commission, and making an appropriation to pay any judgment which the said Wilsie M. Cramer may recover against the State of Montana in such action." .....	<i>Wagner</i> <i>Wagner</i> <i>Wagner</i> <i>Wagner</i> 56, 112, 296.
76	A Bill for an Act entitled: "An Act to repeal Section 10761 of the Revised Codes of Montana, 1921, relating to furnishing entertainment for the electors." .....	<i>Loble</i> <i>Kelley</i> 56, 127.
77	A Bill for an Act entitled: "An Act to amend Section 1282 of the Revised Codes of Montana of 1921, as amended by Sections 2, 3 and 4 of Chapter 19 of the Session Laws of the Eighteenth Legislative Assembly of 1923, relating to the attendance of pupils at high schools for the purpose of apportionment and distribution of high school funds, 'And repealing Sections 2, 3, and 4 of Chapter 19 of the Session Laws of the Eighteenth Legislative Assembly.'" .....	<i>Hall</i> 56, 176, 192, 234, 244, 246.
78	A Bill for an Act entitled: "An Act to amend Section 9256 of the Revised Codes of Montana of	<i>Beale</i> <i>Smith</i> <i>Flynn</i>

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	1921, relating to Writs of Attachment and when attachments may issue and repealing all Acts and parts of Acts in conflict herewith." .....	56, 309, 354, 371, 423, 434, 457, 557, 559.
79	A Bill for an Act entitled: "An Act to amend Section 933, Chapter 75, of the Revised Codes of Montana, 1921, relating to the official staff of the Superintendent of Public Instruction." .....	<i>McCarty</i> 56, 115.
80	A Bill for an Act entitled: "An Act to amend Section 4814 of the Revised Codes of Montana of 1921, relating to the annual report of county clerks." .....	<i>Rice</i> 56, 73, 86, 123, 124, 140, 146, 166, 195, 207, 225, 226, 256.
81	A Bill for an Act entitled: "An Act to amend Section 2174 of the Revised Codes of Montana of 1921, as amended by Chapter 96 of the Laws of the Eighteenth Legislative Assembly relating to the quarterly settlement and statement of the County Treasurer." .....	<i>Rice</i> 56, 72, 86, 123, 124, 140, 146, 147, 166, 194, 207, 225, 226, 257.
82	A Bill for an Act entitled: "An Act to amend Section 3385 of the Revised Codes of Montana, 1921, relating to animals running at large within herddistricts." .....	<i>Salmon</i> 59, 81, 98, 123, 124, 140, 147, 166, 347, 441, 477, 498, 522, 572.
83	A Bill for an Act entitled: "An Act to amend Section 9746 of the Revised Codes of Montana of 1921, relative to the authentication of copies of appeals to the Supreme Court and concerning abbreviated records on appeal to the Supreme Court of Montana." .....	<i>Suble</i> 59, 72, 86, 123, 124, 140, 166, 338, 381, 410, 420, 456.
84	A Bill for an Act entitled: "An Act to amend Sections 8883, 8885, 8886, 8887 and 8889 of Chapter 13 and Section 8890 of Chapter 14 of the Revised Codes of Montana of 1921, defining different kind of juries and relating to the qualifications of a juror, providing a particular time when the Act shall take effect and repealing all Acts and parts of Acts in conflict herewith." .....	<i>Amendment</i> 66, 220, 244, 279, 363, 368, 369, 399.
85	A Bill for an Act entitled: "An Act to amend Section 1, of Chapter 7 of the Session Laws of the State of Montana, of 1923." .....	<i>Miller</i> 66, 78, 98, 123, 124, 140, 147, 166, 381, 394.
86	A Bill for an Act entitled: "An Act relating to assessments made by the State Board of Equali-	<i>Kelly</i>



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	zation and repealing Sections 2134 and 2145 Revised Codes of Montana, 1921." .....	66, 330, 388, 401, 446, 477, 559, 588, 591, 592, 598, 650, 651, 682, 689.
87	A Bill for an Act entitled: "An Act fixing the per diem and compensation of county surveyors.".....	66, 91.
88	A Bill for an Act entitled: "An Act to amend Section 11426 of Chapter 46 of the Revised Codes of Montana of 1921." "Burning or destroying property insured." .....	66, 78, 99, 117, 138, 139, 151, 155, 357.
89	A Bill for an Act entitled: "An Act to amend Section 6121 of the Revised Codes of Montana, 1921, prohibiting discrimination in favor of individuals by Insurance Companies organized under the laws of Montana; prohibiting terms and conditions of contracts aside from those expressed in the policy and forbidding rebate of premium." .....	66, 78, 99, 148, 357.
90	A Bill for an Act entitled: "An Act to provide for the periodical inspection of elevators operated in places of employment in this state; to require a safety certificate for such operation; to make it a misdemeanor to operate such elevator without such certificate; to provide for an injunction against such operation if dangerous to the life or safety of employees; to vest in the Industrial Accident Board the power to make such inspection, and determine the competency of inspectors, and require reports of inspections; to issue such certificates and prescribe maximum fees therefor; and to require that the erecting plan of every elevator hereafter installed be submitted for approval to the Industrial Accident Board." .....	66, 311, 339, 370, 371, 407, 420, 457, 589.
91	A Bill for an Act entitled: "An Act to amend Section 2849 of Chapter 213 Revised Codes of Montana, 1921, known as the Workmen's Compensation Act; relating to and defining inherently hazardous occupations." .....	66, 113, 132, 159, 160, 174, 182, 207, 501, 559, 589, 598, 604.
92	A Bill for an Act entitled: "An Act to repeal Sections 3947 to 3952, Revised Codes, Montana, 1921, creating the Montana Irrigation Commission and making the Board of Railroad Commissioners of the State of Montana ex-officio the Montana Irrigation Commission thereby created; and providing against the repeal or amendment of Sections 3953 to 4025, inclusive, Revised Codes, Montana, 1921, by this repealing Act." .....	66, 103, 124, 148, 149, 151, 158, 179, 240.

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93	A Bill for an Act entitled: "An Act to amend Section 632 of the Revised Codes of Montana of 1921, relating to the date of holding primary elections."	<i>Tracy</i> 66, 79, 99, 159, 160, 174, 183, 207, 278, 478, 556, 564, 566, 573, 584, 598, 604.
94	A Bill for an Act entitled: "An Act providing for a lien upon personal property for services performed by agricultural and farm laborers." .....	<i>Hearick</i> 67, 98, 126, 211, 239, 280, 290, 328.
95	A Bill for an Act entitled: "An Act concerning industrial banks, defining the same, and providing for their incorporation, powers, supervision and control." .....	<i>Caplan</i> <i>Guignone</i> <i>Stall</i> 67, 175, 192, 214, 215, 225, 241, 242, 249, 260, 285, 338, 365, 457, 475, 485, 489, 491, 492, 531, 532, 570, 577, 591, 598, 604, 616.
96	A Bill for an Act entitled: "An Act to create state forests; to provide for their use, management, control and disposition; to appoint a state forester, fix his salary and define his powers and duties; to authorize co-operation with timber operators, owners, and farmers in forest protection, development and extension; abolishing the office of assistant state forester; and to repeal Sections 1830, 1832, 1837, 1873, 1874, 1875, 1876, 1877, 1978, of the Revised Codes of Montana of 1921." .....	<i>Castle</i> <i>3th</i> <i>3rd</i> <i>3rd</i> <i>3rd</i> 74, 125, 149, 172, 187, 197, 227, 443, 478, 559, 571, 585, 591, 632.
97	A Bill for an Act entitled: "An Act to amend Sections 8812 and 8813 of the Revised Codes of Montana of 1921, relating to the judicial districts of the State of Montana and the judges thereof; providing the number of such judicial districts and defining them; providing for the number of judges in each of such judicial districts; providing when the said judicial districts shall come into existence, and providing for the nomination and election of the judges thereof for the next general election."	<i>Judiciary</i> <i>Com</i> 74, 79, 116, 363, 364, 372, 401, 415, 438, 442.
98	A Bill for an Act entitled: "An Act to amend Sections 1955, 1957, 1959, 4023, of the Revised Codes of Montana of 1921, relating to the duties of the State Engineer, the location of his office, his official bond, and making him ex-officio Chief Engineer for the Board of Railroad Commissioners, Public Service Commission, and Trade Commission, and repealing Section 1956 of the Revised Codes of Montana of 1921, relating to the duties of the State Engineer." .....	<i>Grey List</i> 74, 136, 149, 155, 342.



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99	A Bill for an Act entitled: "An Act to amend Section 1219 of the Revised Codes of Montana of 1921, relating to the qualifications of electors in school district elections held for the purpose of levying a tax in excess of ten mills within such school districts." .....	75, 403, 452, 480, 486, 504, 516, 540, 587, 600, 626, 635, 645, 679.
100	A Bill for an Act entitled: "An Act amending Section 1 of Chapter 96 of the Session Laws of the 18th Legislative Assembly of the State of Montana relating to the collection of taxes and providing for the distribution of the interest and penalties collected on delinquent taxes." .....	75.
101	A Bill for an Act entitled: "An Act to amend Section 1617 of the Revised Codes of Montana, 1921, relating to the levy of a tax for road purposes, and to repeal Section 1704 of the Revised Codes of Montana of 1921, relating to the levy of a tax for bridge purposes." .....	75, 114, 132, 144, 164, 430, 466, 486, 504, 517, 540, 589.
102	A Bill for an Act entitled: "An Act to amend Section 5138 of the Revised Codes of Montana of 1921, with reference to the hours of work of members of fire departments in cities of first, second and third class." .....	75, 92.
103	A Bill for an Act entitled: "An Act to repeal Sections 3040, 3041, 3042 and 3043 of Chapter 215 of the Revised Codes of Montana of 1921 which requires certain employers to make reports to the Industrial Accident Board concerning alien and illiterate employees, and authorizes said board to prescribe rules and regulations and to fix penalties with reference thereto." .....	75, 91, 109, 138, 139, 151, 158, 179, 498.
104	A Bill for an Act entitled: "An Act to repeal Section 11567 of the Revised Codes of Montana of 1921, relating to exhibition of crimes prohibited." .....	75, 91.
105	A Bill for an Act entitled: "An Act to amend Section 620 of the Revised Codes of Montana of 1921, relating to the time in which person nominated for public office may decline such nomination." .....	75, 175, 192, 234, 244, 247, 273, 315, 368, 380, 392, 410.
106	A Bill for an Act entitled: "An Act requiring the registration of all colonies of honey bees; providing a method of registering and of collecting fees; requiring the posting of registration certificates; and authorizing the expenditure of funds arising from registration fees." .....	81, 114, 149, 172, 187, 197, 227, 277, 300, 314, 370, 371, 563, 566, 573, 582, 583, 598, 604.

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107	A Bill for an Act entitled: "An Act providing for a monthly maintenance allowance for persons receiving vocational rehabilitation and training under the provisions of Sections 3044 to 3051, Revised Codes of Montana of 1921, and defining the terms and conditions of such allowance." .....	<i>Hayden</i> 82, 113, 149, 172, 187, 197, 227, 277, 338, 381, 410, 420, 456.
108	A Bill for an Act entitled: "An Act to amend Section 687 of the Revised Codes of Montana of 1921, relating to the number of ballots to be provided for each precinct in general elections." .....	<i>Donner</i> <i>Hamblin</i> <i>McFarland</i> 82, 185, 192, 234, 244, 247, 273, 315, 368, 380, 392, 410.
109	A Bill for an Act entitled: "An Act to amend Section 2837, 2862, 2863, 2865, 2866, 2867, 2870, 2891, 2898, 2900, 2912, 2913, 2914, 2915, 2916, 2917, 2918, 2919, 2920, and 2923, of the Revised Codes of Montana, 1921, and to add one new Section to be designated 2290A, relating to the Workmen's Compensation Law; defenses not excluded in personal injury action against employer in non-hazardous occupation and certain other occupations; defining 'employee' and 'workman'; defining 'beneficiary'; defining 'major dependent'; defining 'minor dependent'; defining 'injury' or 'injured' and providing for the inclusion of certain occupational diseases; for the payment of compensation to children up to the age of eighteen years; for the payment of compensation to parent or guardian; providing exception in case of minors and incompetents as to period of limitation; compensation for injury producing temporal total disability; compensation for injury producing total disability permanent in character; compensation for partial disability and providing for rating or percentage of disability; compensation for injury causing death; providing for additional compensation in case death occurs while employee is drawing or entitled to draw compensation payment; providing for medical and hospital service; compensation from what date paid; compensation to run consecutively and relating to compensation payments to certain major and minor dependents; compensation in cases of specified injuries; providing for payment of compensation in cases of second injuries and creating a special fund for such cases; permitting employers in certain non-hazardous occupations to elect to comply and come under the provisions of Plan 3 of this Act and fixing the classification of such employers and employees; and repealing all Acts and parts of Acts in so far only as the same may conflict herewith." .....	<i>Amesbury</i> 82, 407, 452, 480, 497, 507, 540, 589, 600, 624, 649.



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110	A Bill for an Act entitled: "An Act to amend Section 9810 of the Revised Codes of Montana of 1921, relating to the payment of any fee or amount in advance by officers of the state, county or municipality during the prosecution or defense of an action and also to the fixing of costs in such an action." .....	<i>Burns</i> 82, 102, 124, 148, 149, 162, 168, 196, 257, 300, 316, 336, 380.
111	A Bill for an Act entitled: "An Act to amend Section 9858 of the Revised Codes of Montana of 1921, relating to judgments, costs and damages for mandamus proceedings." .....	<i>Burns</i> 82, 102, 124, 148, 149, 162, 169, 196, 257, 276, 281, 282, 285, 299.
112	A Bill for an Act entitled: "An Act to amend Section 9832 of the Revised Codes of the State of Montana of 1921, relating to when an appeal may be taken to the Supreme Court of Montana." .....	<i>Tabler</i> 82, 103, 124, 148, 149, 162, 169, 196, 338, 381, 410, 416, 458, 481, 544.
113	A Bill for an Act entitled: "An Act imposing a lien on real estate to secure judgments obtained on certain bonds and undertakings, and providing for the filing of such bonds and repealing Section 12165 of the Montana Revised Codes of 1921." .....	<i>Plunk</i> 82, 103.
114	A Bill for an Act entitled: "An Act to amend Sections 44 and 45 of the Revised Codes of Montana of 1921, relating to apportionment of membership and representation of the several counties in Montana in the House of Representatives of the Legislative Assembly of Montana, and to fix the number of members thereof after the expiration of the Nineteenth Session." .....	<i>Plunk</i> 82, 222, 265, 318, 319, 498.
115	A Bill for an Act entitled: "An Act to repeal Section 11252 of the Revised Codes of Montana, 1921, relating to riding or driving faster than a walk on public bridges." .....	<i>Tabler</i> <i>Kiley</i> 83, 152.
116	A Bill for an Act entitled: "An Act requiring the labeling of all cloth, fabrics, garments or articles of apparel sold or offered for sale in this state which contain wool, or purport to contain wool; to provide penalties for the violation of this law and to repeal all Acts and parts of Acts in conflict herewith." .....	<i>Lincoln</i> 83, 91.
117	A Bill for an Act entitled: "An Act regulating the sale of goods, wares and merchandise in bulk." .....	83, 142, 160, 172, 173, 406, 466, 486, <i>Burns</i> 504, 517, 540, 576, 587.
118	A Bill for an Act entitled: "An Act to amend Section 1013 of the Revised Codes of Montana of 1921, relating to transfer of apportionment." .....	<i>Kiley</i> 83, 143, 160, 186, 214, 215, 232, 233, 257, 457, 498, 541.

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119	A Bill for an Act entitled: "An Act amending Sections 4056 and 4061 of the Revised Codes of Montana of 1921, and making the Commissioner of Agriculture of the Department of Agriculture, Labor and Industry of the State of Montana ex-officio Real Estate Commissioner." .....	<i>Reagan</i> <i>Hansen</i> <i>Haggan</i> 83, 114, 140, 171, 172, 176, 192, 234, 244, 247, 273, 347, 382, 457, 476, 487, 510, 545.
120	A Bill for an Act entitled: "An Act to amend Sections 6059 and 6060 of Chapter 13, of the General Banking Act, of the Revised Codes of Montana of 1921, relating to limitation on loans and loans to managing officer, director, or intimate relatives." .....	<i>McCully</i> 83, 161.
121	A Bill for an Act entitled: "An Act permitting defendants in criminal actions and proceedings and in quasi-criminal actions and proceedings to disqualify judicial officers, providing the manner in which such shall be done, and the procedure after such disqualification." .....	<i>Atzger</i> 83, 135.
122	A Bill for an Act entitled: "An Act to amend Section 10639 of the Revised Codes of Montana of 1921, relating to affidavits to be used in the State of Montana." .....	<i>Smith</i> <i>Neale</i> 83, 102, 124, 148, 149, 162, 169, 196, 240.
123	A Bill for an Act entitled: "An Act to provide for the submission to the qualified electors of the State of Montana an amendment to Article XII of the Constitution of the State of Montana, relating to revenue and taxation by adding a new Section thereto, providing for the levying of taxes for the purpose of insuring growing crops against loss or damage by hail." .....	<i>Hail</i> 83, 114.
124	A Bill for an Act entitled: "An Act appropriating money for the purpose of purchasing certain volumes of Montana Reports." .....	<i>appropriation</i> <i>Com</i> 83, 101, 148, 149, 151, 159, 179, 195, 207, 227, 239, 254, 272.
125	A Bill for an Act entitled: "An Act providing for the organization and supervision of co-operative saving and credit association to be termed 'Credit Union,' and defining their powers." .....	<i>Barli</i> <i>Biddle</i> <i>Hal</i> 88, 306, 313.
126	A Bill for an Act entitled: "An Act to amend Section 270, Chapter 18, Revised Codes of Montana, 1921." .....	<i>atemp</i> 92, 103, 148, 164, 184, 200, 216, 229, 257, 278, 300, 314, 370, 410, 693, 694, 704.
127	A Bill for an Act entitled: "An Act authorizing and requiring probation officers to perform certain ad-	<i>amendment</i>



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	ditional duties; defining such duties; making it the duty of boards of County Commissioners to pay for the care or maintenance of certain children; authorizing probation officers to make arrests in cases of violation of any provision of the laws relating to wrongs to children and dumb animals; to investigate and enforce the laws pertaining to minor children and dumb animals, and repealing all Acts and parts of Acts in so far as the same may conflict herewith." .....	92, 136.
128	A Bill for an Act entitled: "An Act abolishing the State Bureau of Child and Animal Protection, and repealing Sections 336 to 349 inclusive of the Revised Codes of Montana of 1921 relating to the State Bureau of Child and Animal Protection.".....	<i>Amendment</i> 93, 136.
129	A Bill for an Act entitled: "An Act requiring railroad companies doing business within the State of Montana promptly to transport and unload livestock at points of destination in the case of intrastate shipments, and empowering the Board of Railroad Commissioners of the State of Montana to make and promulgate from time to time suitable rules and regulations to carry out in detail the provisions of this Act, and to repeal all Acts and parts of Acts in conflict herewith, and providing a penalty for violation of the provisions of this Act or orders of said board pursuant thereto." .....	<i>Amendment</i> 93, 152.
130	A Bill for an Act entitled: "An Act to amend Chapter 21, Revised Codes of Montana, 1921, relating to the qualification, admission, license and disbarment of attorneys; amending Section 8937, Revised Codes of Montana, 1921; Section 8948, Revised Codes of Montana, 1921; and repealing Section 8949, Revised Codes of Montana, 1921." .....	<i>Amendment</i> 93, 113.
131	A Bill for an Act entitled: "An Act to amend Section 2399 of the Revised Codes of Montana of 1921 as amended by Chapter 67 of the Laws of the Eighteenth Legislative Assembly, relating to the payment of the oil producers license tax and the distribution of same." .....	<i>Amendment</i> 93, 103, 124, 148, 149, 223.
132	A Bill for an Act entitled: "An Act to repeal Section 11258, of the Revised Codes of Montana, 1921, relating to spreading false rumors with the intent to affect the market price of property." .....	<i>Amendment</i> 93, 163.
133	A Bill for an Act entitled: "An Act to repeal Section 11526 of the Revised Codes of Montana, 1921, relating to officers of fire departments issuing a false certificate of exemption." .....	<i>Amendment</i> 93, 161, 174, 200, 216, 230.
134	A Bill for an Act entitled: "An Act to amend Sections 12394, 12395, 12396, 12397, 12398, 12399, 12400, 12402, 12404, 12405, 12406, 12407, 12409, 12410, 12412, 12413, of the Revised Codes of Mon-	<i>Amendment</i> <i>Amendment</i>

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	tana of 1921, all relating to the issuance, service and return of search warrants and the disposition of articles seized thereon, and to amend Chapter 55 of the Revised Codes of Montana of 1921 by adding thereto certain Sections to be known as Sections 12414A, 12314B, 12414C, and 12414D, relating to appeals, evidence and procedure in connection with the issuance, service, return and disposition of articles seized thereon, and repealing Section 11071, Revised Codes of Montana, 1921, as amended by Chapter 116, Laws of the Eighteenth Legislative Assembly, and Sections 11104 and 11105, Revised Codes of Montana, 1921." .....	93, 190, 239, 284, 360, 361, 362, 423, 437, 458.
135	A Bill for an Act entitled: "An Act authorizing the attorney general to appoint an additional law clerk; prescribing the qualifications of such law clerk, and fixing the salary." .....	<i>Davis</i> <i>et al</i> 93, 211, 225.
136	A Bill for an Act entitled: "An Act to amend Sections 11073 and 11107, Revised Codes of Montana of 1921, relating to the seizure and disposition of vehicles illegally transporting intoxicating liquors and prohibiting the use of replevin or other process to take the same from the possession of the officer seizing the same." .....	<i>Ruppert</i> <i>et al</i> 93, 176, 192, 234, 249, 262, 285, 479, 554, 568, 611.
137	A Bill for an Act entitled: "An Act to amend Section 2131, Revised Codes of Montana, 1921, relating to the assessment of railroads." .....	<i>Keely</i> 94, 135, 149, 187, 198, 227, 240, 258, 273, 299, 346.
138	A Bill for an Act entitled: "An Act to amend Sections 1755, 1756, 1757, 1758, 1759, 1760 and 1761, Revised Codes of Montana, 1921, relating to the registration and identification of motor vehicles and operators thereof." .....	<i>Keely</i> 94, 321, 429, 481, 502.
139	A Bill for an Act entitled: "An Act providing for the supervision and regulation of the transportation of persons and property for compensation over any public highway in the State of Montana by motor vehicles, motor trucks, motor busses, bus trailer, semi-trailers, and other motor vehicles; defining what constitutes transportation for compensation; defining transportation companies; and providing for the supervision and regulation thereof by the public service commission of Montana, and repealing Chapter 154 of the Laws of 1923, relating to the same subject and providing and imposing upon motor vehicles engaged in transportation for compensation a license tax for the maintenance and upkeep of public highways; providing for the enforcement of this Act and the punishment for violation thereof." .....	<i>Gray</i> 95, 152, 328, 388, 399, 401, 402, 443, 446, 477, 602, 622, 623.



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140	A Bill for an Act entitled: "An Act fixing bounties upon certain predatory animals; prescribing the manner in which said bounties shall be paid; appointing bounty inspectors; prescribing the form of affidavit for bounty claim; creating a state bounty fund; providing for the disposition of surplus funds; declaring the false making, altering, figuring or counterfeiting of any certificate or claim or order to be forgery and providing a penalty therefor; making other violations of this Act a misdemeanor and providing a penalty therefor; and repealing Chapter 73 of the Laws of the Eighteenth Legislative Assembly and amending Section 2081, Revised Codes of Montana, 1921, as amended by Chapter 73, Laws of the Eighteenth Legislative Assembly." .....	<i>Wagner</i> <i>Montana</i> 106, 204, 244, 256, 261, 281, 287, 315.
141	A Bill for an Act entitled: "An Act to amend Section 3210 of the Revised Codes of Montana of 1921, and to amend Chapter 228 of the Revised Codes of Montana of 1921, by adding thereto one new Section to be known as Section 3211a, providing for the annual renewal of certificates of registration of nurses and fixing the fee therefor." .....	<i>Coble</i> 106, 153, 173, 200, 270, 360, 362, 495, 496, 540, 574, 599, 602, 626, 635, 646, 670.
142	A Bill for an Act entitled: "An Act to repeal Section 11295, of the Revised Codes of Montana, 1921, relating to leaving the State with the intent to witness a prize fight." .....	<i>Coble</i> <i>Kiley</i> 106, 126.
143	A Bill for an Act entitled: "An Act to amend Section 12223 of the Revised Codes of Montana of 1921, relating to the dismissal of criminal actions." .....	<i>Wagner</i> <i>Montana</i> 106, 125, 126, 140, 171, 174, 183, 207, 273, 278.
144	A Bill for an Act entitled: "An Act to amend Chapter 14 of the Revised Penal Code of Montana of 1921 by adding thereto two new Sections to be known as Section 11775A relating to change of venue, and Section 11775B relating to transfer of papers and proceedings, and repealing all Acts and parts of Acts in conflict herewith." .....	<i>Wagner</i> <i>Montana</i> 106, 125, 140, 171, 308, 354, 371, 401, 452, 461, 477, 557, 559.
145	A Bill for an Act entitled: "An Act to amend Chapter 129 of the Session Laws of the Seventeenth Legislative Assembly, as amended by Chapter 109 of the Session Laws of the Eighteenth Legislative Assembly, providing for the delay or cessation of the construction of drainage works; the dissolving of drainage districts; stopping expenses in connection therewith; providing procedure how same shall be done, and apportioning the costs of the expense of such work, and debts of said district." .....	<i>Coble</i> <i>Montana</i> 106, 112, 140, 172, 250, 323, 340, 351, 382, 411, 458, 498, 520, 539, 572.

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146	A Bill for an Act entitled: "An Act to amend Section 146 of the Revised Codes of Montana of 1921, relating to fees of religious and fraternal societies." .....	<i>A. F. Larson By Request</i> 106, 164, 184, 200, 201.
147	A Bill for an Act entitled: "An Act to amend Section 4530, Revised Codes of Montana, 1921, relating to the care and burial of indigent, sick or injured persons; providing for the services of a physician and the payment of the expenses thereof." .....	<i>W. E. Barth</i> 107, 142, 173, 186, 187, 373, 401.
148	A Bill for an Act entitled: "An Act to change the name of Crooked Creek in Fergus and Petroleum Counties, State of Montana, to Sakakawea Creek." .....	<i>Harker</i> 107, 296, 319, 370.
149	A Bill for an Act entitled: "An Act to amend Section 439 of the Revised Codes of Montana of 1921, providing for salaries of janitors, watchmen and engineers at the State Capitol, and providing for the salary of a carpenter employed at the State Capitol." .....	<i>Jah</i> 115, 153, 174, 200, 216, 232, 257, 570, 577, 624, 641, 643.
150	A Bill for an Act entitled: "An Act to amend Section 8275 of the Revised Codes of the State of Montana as amended by Chapter 32 of the Session Laws of the Eighteenth Legislative Assembly of the State of Montana relating to Chattel mortgages." .....	<i>Meagher Shields</i> 115, 189.
151	A Bill for an Act entitled: "An Act to amend Section 3127 of the Revised Codes of Montana, 1921, relating to the practice of osteopathy by adding thereto a provision for an annual renewal license fee." .....	<i>Reat By Request</i> 115, 190, 215, 245, 281, 287, 315, 379, 554, 568, 611.
152	A Bill for an Act entitled: "An Act to amend Section 5161, Revised Codes of 1921, relating to the appointment and organization of park commission records and reports." .....	<i>Hudd</i> 116, 152, 190, 223, 245, 284.
153	A Bill for an Act entitled: "An Act to repeal Section 9797 of the Revised Codes of Montana, 1921, relating to payment of costs by the losing party in all cases where a demurrer or motion is sustained or overruled." .....	<i>Donnelly Lewis &amp; Moore</i> 116, 163, 184, 200, 216, 230, 257, 333, 338.
154	A Bill for an Act entitled: "An Act to amend Chapter 101 of Part III of the Political Code of Montana of 1921 by the enactment of a new Section to be known as Section 1281A, providing that accredited high schools maintained by joint school districts shall for all the purposes of said chapter	<i>Jaffray</i>



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	be considered as situated in each county in which any part of said joint district is situated, regardless of the actual situs of such school; and providing for the apportionment of the proceeds of county high school tax levies to joint districts maintaining such high schools, and defining the method of such apportionment." .....	116, 143, 160, 186, 187, 198, 227, 277, 300, 336, 380.
155	A Bill for an Act entitled: "An Act to repeal Section 11567 of the Revised Codes of Montana, 1921, relating to the exhibition of moving pictures depicting a felony." .....	<i>Zoble</i> <i>Kelly</i> 116, 135.
156	A Bill for an Act entitled: "An Act to repeal Chapters 44 to 54, inclusive, of Part III of the Codes of Civil Procedure of the Revised Codes of Montana of 1921, including therein Sections 9619 to 9724, inclusive, of the Revised Codes of Montana of 1921, and to repeal said Sections relating to proceedings in courts of justices of the peace; and to enact in the place of said repealed Chapters and Sections, Chapters to be known as Chapters 44, 45, 46, 47, 48, 49, 50, 51, 52, 53 and 54 of Part III of the Code of Civil Procedure of the Revised Codes of Montana of 1921, relating to proceedings in courts of justices of the peace, being a Code of Civil Procedure for courts of justices of the peace, containing in said chapters sections, which sections here enacted are to take the places and numbers of said repealed sections." .....	<i>Burke</i> 116, 296.
157	A Bill for an Act entitled: "An Act to authorize the Supreme Court to regulate practice and procedure in the courts of record of Montana and repealing all Acts and parts of Acts in conflict herewith." .....	<i>Maple</i> 116, 220, 221, 265, 280, 325.
158	A Bill for an Act entitled: "An Act to amend Sections 715, 716, 720 and 729 of the Montana Revised Codes, 1921, and also to amend Section 717 of said Code as amended by Section 1, Chapter 151, Montana Session Laws, 1923, all relating to voting the absent ballot and voting by those unable to attend the polls." .....	<i>Brown</i> <i>Turner</i> 127, 296, 319, 370.
159	A Bill for an Act entitled: "An Act to amend Section 2215 of the Revised Codes of Montana, 1921, relating to the title conveyed by tax deed and providing that such deeds shall not exempt the property to be conveyed thereby from the payment of special assessments." .....	<i>Brown</i> 128, 152, 153, 162, 320, 350, 371, 407, 421, 457, 554.
160	A Bill for an Act entitled: "An Act to permit real property to be redeemed from tax sale by paying the original tax and interest thereon." .....	<i>Brown</i> 128, 152, 185, 192, 234, 244, 247, 273, 315, 365, 368.

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161	A Bill for an Act entitled: "An Act creating a Division of Weights and Measures in the Department of Agriculture, Labor and Industry and defining its composition, powers and duties; regulating the use and inspection of weights and measures, fixing the fees to be collected for such inspection and the disposition of same; authorizing arrests and providing penalties for the violation of this Act; and repealing Sections 3454, 3575, 4233, 4235, 4236, 4237, 4238, 4239, 4240, 4241, 4242, 4243, 4244, 4245, 4247, 4250, 4251, 4252, 4253, 4258, 4259, 4260, 4261, 4262, 4263, and 4264 of the Revised Codes of Montana, 1921, and Section 2 of Chapter 41 of the Revised Codes of Montana, 1921, and Section 2 of Chapter 41 of the Laws of the Eighteenth Legislative Assembly of Montana of 1923, and all other Acts and parts of Acts in conflict herewith." .....	<i>Com on Agriculture</i> 128, 190, 239, 302, 329, 372, 390.
162	A Bill for an Act entitled: "An Act repealing Section 8932 of the Revised Codes of Montana, 1921, relating to payment of stenographer's costs in civil actions." .....	<i>Smith L &amp; C</i> 128, 163.
163	A Bill for an Act entitled: "An Act to amend Sections 7135, 7140, 7141, 7145, 7149, 7150, 7151 and 7159 of the Revised Codes of Montana of 1921, relating to the maintenance and repair of water ditches and water systems and expenses therefor, and to the powers and duties of the water commissioner, and making such expenses a lien upon the land prior to all other liens except taxes." .....	<i>Stranger</i> 128, 138, 164, 184, 200, 201, 206, 250, 322, 354, 371, 401, 443, 446, 477, 574, 600, 627, 635, 647, 682, 689.
164	A Bill for an Act entitled: "An Act to repeal Section 11043 of the Revised Codes of Montana, 1921, relating to the sale of merchandise at camp meetings." .....	<i>Lester Kelley</i> 128, 185.
165	A Bill for an Act entitled: "An Act relating to the admission in evidence of general reputation in the trial of certain cases." .....	<i>Ryerson et al</i> 128, 163, 184, 214, 216, 230, 257, 336, 338.
166	A Bill for an Act entitled: "An Act to amend Section 1760 of the Revised Codes of Montana, 1921, as amended by Chapter 107 of the Session Laws of the Eighteenth Legislative Assembly of Montana, 1923, relating to registration fees for motor vehicles and the disposition thereof, and amending Section 2392 of the Revised Codes of Montana, 1921, as amended by Chapter 150 of the Session Laws of the Eighteenth Legislative Assembly of Montana, 1923, relating to disposition of the tax on gasoline." .....	<i>Kierthner</i> <i>Pulmon</i> 128, 223, 429.



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167	A Bill for an Act entitled: "An Act to repeal Sections 2808, 2809, 2810 and 2811 of the Revised Codes of Montana of 1921, relating to the storage and transportation of explosives." .....	<i>Lyman</i> 128, 185, 192, 214, 215, 216, 231, 257, 479, 541.
168	A Bill for an Act entitled: "An Act to appropriate money from the Industrial Accident Fund of the State of Montana for payment of additional compensation on the claim of Sam Nestor, which claim was disallowed by the Industrial Accident Board because it was not presented within six months following the date of the injury." .....	<i>Plummer</i> 128, 213, 239, 302, 340, 351, 382, 442, 477, 498, 522, 572.
169	A Bill for an Act entitled: "An Act to amend Sections 1533, 1536 and 1546 of the Revised Codes of Montana of 1921, relating to the appointment of officers, rules and regulations, salaries, suspension of subordinates, officials and employees; admission of wives and widows of soldiers or sailors; and appointment of chaplain of the Soldiers' Home." .....	<i>W. A. Jones</i> 136, 153, 173, 186, 199, 227, 574, 600, 627, 635, 642, 667, 682, 696, 698.
170	A Bill for an Act entitled: "An Act to authorize the State Board of Examiners of the State of Montana to purchase additional farm lands and additional dairy cattle for use in connection with the State Penitentiary and for furnishing supplies to other State Institutions and to the public and making an appropriation therefor." .....	<i>W. A. Jones</i> 137, 153.
171	A Bill for an Act entitled: "An Act to amend Section 5251 of the Revised Codes of Montana, 1921, relating to the certification of special assessments to the County Clerk and the collection of special assessments by cities and towns, and providing for the manner of payment of special assessments, the time when the same shall become delinquent, and the penalty and interest for delinquent special assessments." .....	<i>Duncan</i> 137, 161, 173, 186, 198, 227, 240, 258, 276, 285, 299.
172	A Bill for an Act entitled: "An Act to amend Section 412 of the Revised Codes of Montana of 1921, relating to county officers not acting as deputy for other officers of the same county." .....	<i>Beyster</i> <i>Alaska</i> 137, 170, 184, 214, 216, 231, 257, 338, 381, 410, 416, 433, 434, 456.
173	A Bill for an Act entitled: "An Act to amend Section 5277 of the Revised Codes of Montana, 1921, relating to the method of levying assessments to defray the cost of sprinkling by providing for the time and manner of payment of such assessments." .....	<i>Duncan</i> 137, 161, 174, 214, 232, 233, 257, 338, 380, 381.

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174	A Bill for an Act entitled: "An Act to amend Sections 2255, and 2257 and repealing Sections 2256, 2258, 2259, 2260, 2261, 2262, 2263 and 2264 of the Revised Codes of Montana of 1921, relating to settlements of the County Treasurer with the State Treasurer and the report of the County Clerk to the State Auditor covering such settlement." .....	<i>Table</i> 137, 189, 215, 245, 281, 288, 315, 347, 411, 475, 485, 489, 511, 529, 572.
175	A Bill for an Act entitled: "An Act to amend Section 4614 of the Revised Codes of Montana, 1921, as amended by Chapter 21, Laws of the Eighteenth Legislative Assembly, relating to county bonds.".....	<i>Flynn</i> <i>Andrews</i> 137, 250, 281, 368, 369, 407, 421, 547, 602, 624, 649.
176	A Bill for an Act entitled: "An Act to amend Section 3899, Revised Codes of Montana, 1921, relating to the powers of the Public Service Commission and conferring upon that commission power, after hearing, to require public utilities subject to its jurisdiction, to adopt just, reasonable, safe and adequate practices, equipment, appliances and facilities and to make improvements in existing plants, equipment, apparatus or other physical property and to make additions, extensions, improvements and changes and repealing all Acts and parts of Acts in conflict therewith." .....	<i>Montgomery</i> <i>Shultz</i> 137, 185, 254, 281, 368, 369, 370, 407, 421.
177	A Bill for an Act entitled: "An Act to provide for an experimental field station for investigating the nature, cause, and methods of control of the disease of sheep known as progressive pneumonia, and providing for the leasing of a farm or ranch, the purchase of sheep, and for the operation and equipment of the farm as an experimental field station, and the care of the sheep for the fiscal years ending June 30th, 1926, and June 30th, 1927, under the supervision of the director of the Montana Experiment Station, and providing for the payment of necessary expenses incurred, and appropriating money therefor." .....	<i>Cain</i> <i>and</i> <i>Live-</i> <i>stock</i> 143, 431, 481, 504, 520, 528, 540, 589.
178	A Bill for an Act entitled: "An Act to amend Section 12036 of the Revised Codes of the State of Montana relating to proceedings on acquittal on ground of insanity." .....	<i>Smith</i> <i>J &amp; C</i> 144, 203, 233, 245, 249, 262, 285, 347.
179	A Bill for an Act entitled: "An Act to Amend Section 9453 of the Revised Codes of Montana of 1921, relating to the cure of defects in judicial sales of real property." .....	<i>Schornberg</i> 144, 170, 184, 214, 216, 231, 257, 338, 381, 410, 433, 434, 456.



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180	A Bill for an Act entitled: "An Act to amend Section 1 of Chapter 96 of the Laws of the Eighteenth Legislative Assembly of the State of Montana relating to and fixing the time and method of collecting taxes and interest thereon by providing that none of the provisions of said Chapter 96 shall be construed as in any manner applying to special assessments." .....	<i>American</i> 144, 153, 162, 174, 214, 233, 257, 277, 301.
181	A Bill for an Act entitled: "An Act to repeal Section 10766 of the Revised Codes of Montana, 1921, relating to disturbance of public meetings." .....	<i>Public</i> 144, 152, 568.
182	A Bill for an Act entitled: "An Act authorizing and directing the Governor of Montana to appoint a commission of five members to be known as the Montana War Memorial Commission, and defining its power and duties respecting the establishment by the State of Montana of a permanent memorial at the capital of said state in memory of the men and women, living and dead, of said state, who participated in the military forces of the United States during the World War, and directing said commission to report its findings to the Twentieth Legislative Assembly of the State of Montana not later than January 10th, 1927, and appropriating the sum of two thousand dollars, or as much thereof as may be necessary for the work of said commission." .....	<i>Commission on military affairs</i> 144, 159.
183	A Bill for an Act entitled: "An Act to prohibit the Railroad and Public Service Commission of the State of Montana from increasing the rates of a public utility in this state where such rates have been fixed under a franchise granted to such public utility by the votes of the qualified electors of such municipality; and providing that an application by any such public utility to said Railroad and Public Service Commission for such purpose shall render such franchise null and void." .....	<i>Bryman</i> 144, 170, 328.
184	A Bill for an Act entitled: "An Act to amend Section 2357 of Chapter 184 of the Revised Codes of Montana of 1921, relating to the license tax on manufacturers of cement, etc." .....	<i>Johnson of Oregon</i> 144, 296, 297, 319, 370, 423, 437, 438, 458, 479, 558, 571, 589, 632.
185	A Bill for an Act entitled "An Act prohibiting the removal of fixtures from real estate upon which there is a subsisting mortgage or lien and fixing the penalty therefor." .....	<i>Penalties</i> 149, 177.
186	A Bill for an Act entitled: "An Act to amend Section 8339 of the Revised Codes of Montana of 1921, relating to mechanics' liens and providing for	<i>Amplified</i>

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	the inclusion of coal mines under the provisions relative to mechanics' liens." .....	150, 184, 192, 241, 242, 249, 262, 285, 338, 381, 410, 420, 456.
187	A Bill for an Act entitled: "An Act permitting trial by jury in all actions and proceedings arising under Section 9698 of the Code of Civil Procedure, Revised Codes of Montana, 1921, Section 9908, Code of Civil Procedure, Revised Codes of Montana, 1921, Section 10944 of the Penal Code of Montana, Revised Codes of Montana, 1921, and in all actions and proceedings relating to contempt when the acts or omissions alleged as and for the basis of contempt were not committed in the immediate view or presence (indirect contempt) of the justice, judge or court." .....	150, 221, 311.
188	A Bill for an Act entitled: "An Act to amend Section 12223 of the Revised Codes of Montana, 1921, relating to the dismissal of criminal actions." .....	150, 163.
189	A Bill for an Act entitled: "An Act to amend Section 1622 of the Revised Codes of Montana, 1921, adding one sub-section thereto relating to restriction of traffic on public highways." .....	153, 308, 350, 371, 407, 422, 457, 479, 559, 588, 591, 632.
190	A Bill for an Act entitled: "An Act amending Section 1783 of the Revised Codes of Montana of 1921, relating to the State Highway Commission and Commissioner, creation, salary, bond and term." .....	153, 308, 354, 371, 401, 452, 484, 540, 576, 600, 601, 626, 635, 647, 679.
191	A Bill for an Act entitled: "An Act to amend Section 1 of Chapter 49 of the Session Laws of 1923, as amending Section 860 of the Revised Codes of Montana of 1921, relating to refunding fare to students." .....	154, 176, 192, 241, 242, 249, 263, 285, 347, 411, 476, 487, 510, 545.
192	A Bill for an Act entitled: "An Act to amend Section 3764 of the Revised Codes of Montana of 1921, defining the boundaries of Gallatin Game Preserve and providing penalties for unlawful hunting and trapping within said preserve; repealing all Acts and parts of Acts in conflict herewith." .....	154, 189, 215, 245, 281, 288, 315, 381, 457, 498, 501, 556, 564, 585, 611.
193	A Bill for an Act entitled: "An Act to amend Section 11180 of the Revised Codes of Montana of 1921, relating to wagers on races at state and county fairs for the purpose of assisting state and	



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	county fairs conducting agricultural and livestock exhibits." .....	154, 203, 233, 256, 291.
194	A Bill for an Act entitled: "An Act to amend Section 101 of the Revised Codes of Montana of 1921, relating to the comparing of the signatures on initiative and referendum petitions." .....	<i>Butt</i> <i>Ruffen</i> 17 2 154, 192, 241, 242, 249, 263, 285, 568, 589, 600, 621, 622, 635, 642, 668, 680, 681.
195	A Bill for an Act entitled: "An Act to repeal Section 8697 of the Revised Codes of Montana, 1921, relating to damages incurred in a duel whereby the survivor in a duel must pay all the debts of his dead adversary." .....	<i>Soble</i> <i>Kelsey</i> 154, 163.
196	A Bill for an Act entitled: "An Act to amend Section 9427 of the Revised Codes of 1921, relating to property exempt from execution or attachment." .....	<i>Patterson</i> <i>May</i> 154, 175, 192.
197	A Bill for an Act entitled: "An Act to provide for the support of the government of the State of Montana for the years 1925 and 1926." .....	<i>Wright</i> <i>McLean</i> 154, 185, 192, 214, 215, 340, 352, 382, 442, 477, 498, 529, 572.
198	A Bill for an Act entitled: "An Act to amend Sections 5149 and 5150, Revised Codes of Montana of 1921, relating to fire districts and the issuing of bonds by such districts." .....	<i>Hedrick</i> 154, 156, 251, 281, 368, 369, 399, 415, 452, 462, 477, 571, 589, 598, 604
199	A Bill for an Act entitled: "An Act to amend Section 9467, Revised Codes of Montana of 1921, relating to foreclosure of mortgages and decree of sale of encumbered property and the application of the proceeds of the sale to the payment of costs and expenses and relating to a deficiency judgment, and providing that no deficiency judgments shall be had upon foreclosure and providing an exemption thereto." .....	<i>Hoffman</i> <i>Keighton</i> <i>Meat</i> 154, 252.
200	A Bill for an Act entitled: "An Act to declare the cultivated black currant ( <i>Ribes Nigrum</i> ) and its varieties a public nuisance and to provide for its eradication" .....	156, 213, 239, 302, 304, 318, 346, 442, 476, 477, 485.
201	A Bill for an Act entitled: "An Act to amend Section 11039 of the Revised Codes of Montana of 1921, relating to the keeping open of certain places on Sunday a misdemeanor." .....	156, 311, 354, 371.
202	A Bill for an Act entitled: "An Act to amend Section 2238, Revised Codes of Montana, 1921, as	

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	amended by Chapter 102, Session Laws 1923, relating to the collection of personal property taxes.".....	160, 175, 192, 241, 242, 249, 263, 285, 338, 381, 410, 420, 456.
203	A Bill for an Act entitled: "An Act to authorize and provide for the consolidation and merging of the corporate existence and government of the County of Silver Bow and all cities and towns therein into one municipal corporation and government under the corporate name 'City and County of Butte;' defining the powers thereof and providing a commission-mayor plan of government therefor." .....	160, 184, 206, 215, 243, 256, 303, 372, 385, 394, 557, 559.
204	A Bill for an Act entitled: "An Act to amend Section 5216 of the Revised Codes of Montana of 1921, relating to the annual tax levy of cities and towns." .....	164, 234, 265, 339, 372, 388, 394, 442, 477, 498, 522, 572.
205	A Bill for an Act entitled: "An Act empowering cities and towns to prohibit by ordinance the introduction, manufacture, transporting, possession and the sale, exchange, giving away, bartering or disposing of ardent spirits or any compound thereof capable of being used as a beverage, or any brandy, whisky, rum, gin, beer, ale, porter, wine, or any intoxicating liquor of any kind within such city or town; empowering such city or town to provide penalties for the violation of the provisions of such ordinance and to provide penalties for the maintaining of common nuisances as defined in Section 11066 of the Revised Codes of 1921; and providing for the prosecution, trial, and punishment of violators of such ordinances in police courts." .....	165, 234, 265, 368, 369, 372, 387, 394, 570, 577, 586.
206	A Bill for an Act entitled: "An Act appropriating money to reimburse Frank R. Baney, sheriff of Lincoln county, for moneys expended by him in defending an action for damages for alleged false imprisonment occasioned by the arrest of an insane person at the direction of the superintendent of the State Asylum at Warm Springs." .....	165, 376, 416, 442, 452, 461.
207	A Bill for an Act entitled: "An Act to repeal Sections 10737, 10738 and 10739 of Chapter 4, of the Penal Code, Revised Codes of Montana, 1921." .....	165, 413.
208	A Bill for an Act entitled: "An Act to amend Section 6 of Chapter 41 of the Session Laws of the Eighteenth Legislative Assembly of Montana of 1923, relating to the settlement by the Department of Agriculture of the affairs of insolvent warehousemen and others." .....	165, 190, 192, 241, 242, 249, 278, 301, 347, 411, 476, 487, 510, 545.



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209	A Bill for an Act entitled: "An Act to amend Section 10904, R. C. M. 1921, relating to unfair discrimination in the purchase price of commodities and products." .....	165, 189, 215, 245, 249, 280, 393, 415, 452, 461, 477, 570, 577, 602, 624, 649.
210	A Bill for an Act entitled: "An Act to amend Section 10908 R. C. M., 1921, relating to unfair discrimination in the selling price of commodities and products." .....	165, 188, 215, 245, 249, 280, 306.
211	A Bill for an Act entitled: "An Act to amend Section 2038 of the Revised Codes of Montana of 1921, relating to traveling expenses of assessors and their deputies." .....	165, 188, 215, 245, 249, 278, 301, 338, 381, 457, 476, 487, 510, 545.
212	A Bill for an Act entitled: "An Act to repeal Section 2438 of the Revised Codes of Montana, 1921, relating to license for roller skating rinks and merry-go-rounds." .....	171, 185.
213	A Bill for an Act entitled: "An Act to amend Section 8868 of the Code of Civil Procedure; Revised Codes of Montana, 1921, relating to disqualification of judicial officers, by making provision in the affidavit of disqualification designated and provided in paragraph 4 of said section for criminal cases, actions, motions and proceedings." .....	171, 252.
214	A Bill for an Act entitled: "An Act to amend Sections 1189 and 1190 of the Revised Codes of Montana, 1921, relating to meetings of State Textbook Commission and contracts for supplying textbooks." .....	171, 185, 192, 241, 242, 249, 279, 301, 315, 381, 410, 416, 433, 434, 456.
215	A Bill for an Act entitled: "An Act relating to the redemption of real property from tax sale by paying the original tax and interest thereon when no assignment of the certificate of tax sale has been made by the county." .....	171, 177, 450.
216	A Bill for an Act entitled: "An Act to create a new section of the Revised Codes of Montana, 1921, to be known as Section 9228A, relating to the exemption of juror's mileage and fees from execution or attachment." .....	177, 188, 192, 241, 242, 249, 279, 301, 337, 338.
217	A Bill for an Act entitled: "An Act to repeal Section 11471 of the Revised Codes of Montana, 1921, relating to the punishment of offenses that heretofore were crimes." .....	177, 194.

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218	A Bill for an Act entitled: "An Act to amend Section 6021 of the Montana Revised Codes of 1921, relating to the incorporation of banks and duties of the Superintendent of Banks." .....	177, 244, 261, 360, 361, 372, 387, 394, 56, 157.
219	A Bill for an Act entitled: "An Act to amend Sections 3156, 3157, 3158, 3159, 3166, 3167, and 3196 of the Revised Codes of the State of Montana of 1921, relating to the regulation of the practice of optometry and to prevent ignorant, unprofessional or incompetent persons from practicing same." .....	177, 357, 400, 415, 482, 483, 495, 501, 540, 574, 575, 578, 600, 628, 635, 642, 662, 667, 691.
220	A Bill for an Act entitled: "An Act to amend Sections 7280, 7282, 7283, and 7284, Revised Codes of Montana, 1921, and to add four new Sections thereto, to be designated as Sections 7283A, 7283B, 7283C, and 7283D, all relating to drainage districts." .....	177, 189, 233, 280, 304, 318, 346, 395, 457, 475, 489, 520, 539, 572.
221	A Bill for an Act entitled: "An Act to repeal Section 3320, Revised Codes of Montana of 1921, relating to fees of officers making inspection of horses." .....	177, 193.
222	A Bill for an Act entitled: "An Act providing for the cancellation of delinquent personal property taxes and tax sales and certificates of tax sales of real property." .....	177, 188, 342, 388, 401.
223	A Bill for an Act entitled: "An Act requiring each deed or other conveyance of real property in this state to contain the name and last known address of the grantee." .....	177, 211.
224	A Bill for an Act entitled: "An Act to amend Section 6048 of the Revised Codes of Montana of 1921, relating to dividends, surplus and losses, defining a bad debt and providing for the charging off of the same." .....	178, 190, 245, 281, 288, 315, 338, 411, 476, 485, 489, 511, 529, 613, 614, 634, 636, 666.
225	A Bill for an Act entitled: "An Act to determine the status of public deposits in insolvent banks." .....	178, 189, 215, 280, 358, 391, 423, 436, 458, 559, 591, 620, 631.
226	A Bill for an Act entitled: "An Act to amend Sub-Section 6109e of Section 4, Chapter 90, of the Laws of 1923, relating to banks going into voluntary liquidation." .....	178, 189, 192, 241, 242, 246, 251, 256, 264, 281, 289, 315, 338, 411, 475, 485, 489, 512, 529, 614, 615, 634, 636, 666.



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227	A Bill for an Act entitled: "An Act to amend Sub-Section 6109a of Section 4, Chapter 90, of the Laws of 1923, relating to the power of the Superintendent of Banks to prescribe rules and regulations for the administration of the banking laws of Montana." .....	178, 189, 192, 245, 251, 256, 264, 281, 289, 315, 347, 477.
228	A Bill for an Act entitled: "An Act to amend Sub-Section 6109d of Section 4, Chapter 90, of the Laws of 1923, relating to the assessment of the capital stock of banks to make good their impairment."....	178, 189, 205, 245, 246, 251, 256, 264, 281, 289, 315, 338, 411, 477, 499, 553, 564, 566, 573, 629, 370.
229	A Bill for an Act entitled: "An Act defining the term 'Transient Merchant' and to regulate and to license transient merchants and to fix the terms of regulations and the amount of license fees to be paid, to provide funds for such regulations and the enforcement thereof, and to provide for their collection, and to require bond, and to prevent fraud, and to provide penalties for the violation of any of the terms of this Act, and for other purposes." .....	178, 245, 246, 372, 433, 442, 473, 475, 486, 497, 505, 540, 602, 603, 627, 635, 648, 682, 689.
230	A Bill for an Act entitled: "An Act defining the term "Huckster" and to regulate and license hucksters, and to fix the terms of regulations, and the amount of license fees to be paid, and to provide for their collection, and to prevent frauds, and to provide penalties for the violation of any of the terms of this Act, and for other purposes." .....	178, 245, 372, 416, 442, 473, 475, 486, 497, 505, 540, 570, 577, 624, 641, 643.
231	A Bill for an Act entitled: "An Act providing for the payment of taxes on personal property sold under chattel mortgage, attachment or execution." .....	178, 253, 281, 368, 369, 407, 422, 457, 500, 541.
232	A Bill for an Act entitled: "An Act to authorize the State Board of Prison Commissioners to establish at the Montana State Prison such industries as it may determine to be for the best interests of the inmates thereof and the State of Montana, the products of which shall not compete in the market with products of free labor engaged in similar industries; providing for the payment of inmates employed in such industries and the disposition of their wages; providing for the sale and price of such products; making the Warden of the State Prison Superintendent of such industries;	

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	providing for the disposition of the profits arising from such industries; authorizing the State Board of Prison Commissioners to make agreements with other states relative to state uses of the products of such industries; and making a supplemental appropriation of money for the purpose of carrying this Act in effect." .....	178, 254, 308, 354, 371, 407, 422.
233	A Bill for an Act entitled: "An Act to prohibit wilful sheep trespass and providing penalties therefor." .....	186, 194.
234	A Bill for an Act entitled: "An Act to amend Sections 2269 and 2270 Revised Codes of Montana, 1921, relating to payment of taxes under protest." .....	186, 414, 466, 487, 504, 517, 540, 570, 577, 624, 670.
235	A Bill for an Act entitled: "An Act to repeal Section 11310 of the Revised Codes of Montana, 1921, relating to selling of toy pistols." .....	191, 373.
236	A Bill for an Act entitled: "An Act providing for the levy and collection of the per capita taxes known as the special road tax and the special poor tax, perscribing the method of levying and collecting the same and the liability of employers in connection therewith; and repealing Chapter 81 of the Laws of the Eighteenth Legislative Assembly, and Sections 1619, 1620, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, of the Revised Codes of Montana of 1921 and all Acts or parts of Acts in conflict herewith." .....	191, 321, 354, 391, 392, 432, 442, 474, 484, 540, 589.
237	A Bill for an Act entitled: "An Act appropriating money to reimburse the heirs of Tony Early for loss of interest on payment made to the State Board of Land Commissioners for purchase of lands and loss of improvements on said lands to which the State of Montana was unable to give patent and from which said Tony Early as such purchaser was subsequently ejected." .....	191, 308, 349, 370, 371, 407, 423, 457, 569, 577, 625, 635, 648, 679.
238	A Bill for an Act entitled: "An Act to amend Sections 2322, 2323, 2333, and 2334 of Chapter 182, Revised Codes of Montana, 1921, relative to penalty for failure to pay coal miners' and dealers' license tax, creating a lien therefor, and procedure to determine and collect tax on failure of statement to State Treasurer." .....	191, 222, 244, 302, 303, 340, 350, 382, 442, 499, 576, 586.



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239	A Bill for an Act entitled: "An Act to amend Sections 2362, 2363, 2373, and 2374 of Chapter 184, Revised Codes of Montana, 1921, relative to penalty for failure to pay cement producers' and dealers' license tax, creating a lien therefor, and procedure to determine and collect such tax, on failure of statement to State Treasurer." .....	191, 222, 265, 360, 361, 372, 386, 394, 457, 499, 500, 576, 586.
240	A Bill for an Act entitled: "An Act to amend Sections 2388 and 2389 of Chapter 185, Revised Codes of Montana, 1921, relative to penalty for failure to pay gasoline distributors' and dealers' license tax, creating a lien therefor, and procedure to determine and collect such tax on failure of statement to State Treasurer." .....	191, 223, 265, 360, 361, 372, 386, 394, 457, 499, 576, 586.
241	A Bill for an Act entitled: "An Act to amend Sections 2399, 2404 and 2405 of Chapter 67, Session Laws of 1923, relative to time of payment of oil producers' license tax, fixing penalty for failure to pay, creating a lien therefor, and procedure to determine and collect such tax on failure of statement to State Treasurer." .....	191, 222, 265, 360, 361, 372, 386, 394, 457, 499, 576, 586, 622.
242	A Bill for an Act entitled: "An Act defining the term 'itinerant vendor,' and to regulate and to license itinerant vendors, and to fix the terms and the amount of license fees to be paid, and to provide funds for such regulation and the enforcement thereof, and to provide for their collection, and to prevent fraud, and to provide penalties for the violation of any of the terms of this Act and for other purposes, and repealing Sections 2421 to 2428 inclusive of the Revised Codes of Montana of 1921." .....	191, 245, 416, 442, 473, 475, 486, 497, 507, 540, 599, 601, 635, 642, 667, 670, 671, 695.
243	A Bill for an Act entitled: "An Act amending Section 6070 of the Revised Codes of Montana of 1921, relating to the creation of the State Banking Department and to the appointment of a superintendent of banks and his deputies, fixing their terms of office and salary." .....	192, 203, 233, 281, 290, 315, 347, 457, 498, 499, 557, 564, 566, 573, 672, 673, 682, 689.
244	A Bill for an Act entitled: "An Act to appropriate money for the payment to School District No. 7 of Madison County, Montana, for expenses incurred and being incurred in furnishing high school train-	

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	ing and education to state charges and inmates of the State Orphans' Home." .....	194, 223, 280, 374, 443, 473, 489, 492, 539, 570, 588, 600, 624, 632.
245	A Bill for an Act entitled: "An Act to amend Section 1855 of the Revised Codes of Montana, 1921, relating to the sale or lease of State lands." .....	194, 306.
246	A Bill for an Act entitled: "An Act to amend Section 3379 and to repeal Section 3386, Revised Codes of Montana, 1921, relating to trespassing animals." .....	194, 244.
247	A Bill for an Act entitled: "An Act to amend Section 6039 of the Revised Codes of Montana of 1921, as amended by Chapter 9 of the Laws of the Eighteenth Legislative Assembly, relating to liability of stockholders in state banks and providing means for paying and collecting said liability." .....	194, 222, 244, 318, 319, 340, 351, 382, 457, 476 485, 489, 512, 529, 611, 612, 634, 636, 666.
248	A Bill for an Act netitled: "An Act to amend Sections 1884, 1885 and 1886 of the Revised Codes of Montana of 1921, all relating to leases and rentals of State lands." .....	194, 358, 388, 416, 442, 452, 462, 478, 558, 571, 577, 626, 635, 648, 679.
249	A Bill for an Act entitled: "An Act to amend Section 6575, Revised Codes of Montana, 1921, relating to the classes of persons or property which may be transported free or at reduced rates by including therein provision for the executive or secretarial officers of mercantile or promotion boards or bodies, or commercial clubs within the state when traveling in the performance of duties affecting the advancement of business of such boards or bodies." .....	194, 311.
250	A Bill for an Act entitled: "An Act to repeal Section 11472 of the Revised Codes of Montana, 1921, relating to the removal of waste from locomotives." .....	194, 203.
251	"An Act to provide for substitution, alteration, or amendment of, or addition to, the source or sources from which the lands embraced in any irrigation district are to be irrigated, or the character of the works, water rights, canals, or other property proposed to be acquired or constructed for irrigation, and for consolidation of two or more irrigation districts using or proposing to use the same general source of irrigation, or the same system of works, water rights, canals or other property, and prescribing the procedure therefor." .....	205, 374.



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252	A Bill for an Act entitled: "An Act to amend Section 1401, Revised Codes of Montana of 1921, relating to exemptions from jury duty and poll tax of members of the national guard and organized reserves of the national guard and army of the United States, and all persons receiving compensation for disability received while serving with the United States army during the world war.".....	205, 234, 265, 360, 362, 372, 388, 394, 457, 498, 499, 529, 572.
253	A Bill for an Act entitled: "An Act to amend and re-enact Section 3956 of the Revised Codes of Montana of 1921, as amended by Section 1, of Chapter 147 of the session laws of the eighteenth legislative assembly relating to the procedure for organizing irrigation districts and examination and report of the public service commission thereon."....	205, 253, 281, 368, 369, 407, 423, 457, 575, 600, 626, 635, 650, 679.
254	A Bill for an Act entitled: "An Act prescribing the procedure to effect the forfeiture of oil and gas leases." .....	205, 357, 388, 393, 401, 415, 416, 443, 446, 477, 575, 586.
255	A Bill for an Act entitled: "An Act regulating the imposing of special charges upon property situated within special improvements districts, irrigation districts and drainage districts." .....	205, 211, 239, 290, 368, 369, 380.
256	"A Bill for an Act relating to irrigation districts, and amending and re-enacting Section 7234 Revised Codes of Montana, 1921, as amended by the laws of the eighteenth legislative assembly of the State of Montana, relating to the distribution of costs on the lands within the district." .....	205, 210, 239, 318, 319, 340, 351, 382, 558, 571, 589, 598, 604.
257	A Bill for an Act entitled: "An Act to amend subdivision 2 of Section 4465 of the Revised Codes of Montana of 1921, relating to general powers of boards of county commissioners." .....	205, 341.
258	A Bill for An Act entitled: "An Act to amend Section 4468 of the Revised Codes of Montana of 1921, relating to the organization of new townships." .....	205, 306, 354, 391, 423, 436, 458, 557, 558.
259	A Bill for an Act entitled: "An Act to prohibit the withdrawal, defacing or erasing of the names or signatures of persons to or upon the petition for the referendum provided for by Section 99 of the Political Code, Revised Codes of Montana, 1921; the petition for the initiative provided for by Section 100 of the Political Code, Revised Codes of Montana, 1921; or any other petition in lieu	

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	thereof as provided for by Section 101 of the Political Code, Revised Codes of Montana, 1921; or any exhibits or parts or portions attached thereto; and providing a penalty for the violation thereof." .....	205, 296, 327.
260	A Bill for an Act entitled: "An Act to amend Section 4978 of the Revised Codes of Montana, 1921, with reference to extension of the corporate limits of cities of the first, second and third classes to include contiguous land." .....	206, 234, 265, 302, 304, 313, 317, 346, 381, 456, 498, 499, 520, 539, 572.
261	A Bill for an Act entitled: "An Act to repeal Section 11259 of the Revised Codes of Montana, 1921, relating to selling firearms to an Indian." .....	206, 308.
262	A Bill for An Act entitled: "An Act to amend Section 8291 of the Revised Codes of Montana, 1921, as amended by Chapter 23 of the Laws of 18th Legislative Assembly of the State of Montana, relating to sale or removing mortgaged property to defraud mortgagee." .....	206, 245, 261, 360, 362, 372, 385, 394, 479, 541.
263	A Bill for An Act entitled: "An Act detaching certain territory from the county of Lake and annexing the same to the county of Flathead and establishing and defining the boundary line between said counties." .....	206, 253, 326, 327.
264	A Bill for an Act entitled: "An Act establishing and defining the boundary lines of Daniels County and repealing all Acts and parts of Acts in conflict herewith." .....	214, 342, 418.
265	A Bill for an Act entitled: "An Act to appropriate money for the payment of the claim of the estate of Bradley E. Kenney, otherwise E. K. Bradley, now deceased, for the proceeds of beef cattle shipped to market by him while insane, the proceeds of which came into the estray fund of the State and was transferred to the Livestock Commission fund and used for operation expense." .....	223, 224, 418, 485, 489, 503, 504, 518, 540, 588, 589.
266	A Bill for an Act entitled: "An Act to amend Section 1215, Revised Codes of Montana, 1921, as amended by Chapter 14, Session Laws, 1923, relating to reports to county superintendents of schools of valuations of school districts." .....	224, 404.
267	A Bill for an Act entitled: "An Act to amend Section 990 of the Revised Codes of Montana of 1921, relating to the nomination of school trustees in districts of the first class." .....	224, 320, 354, 391, 423, 437, 458, 599, 602.



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268	A Bill for an Act entitled: "An Act prescribing and defining the duties and powers of the State Engineer in connection with the adjudication and administration of the water right laws of the State of Montana, fixing his salary and that of his assistants, providing for the appointment by him of an assistant and employes, and for the appointment by him of water commissioners and fixing their compensation, providing for the keeping and certifying of records by the State Engineer, providing for returns to be made annually to County Assessors by water right claimants of rights claimed by them to the use of the waters of this State, and for the levying and collection of a water right license tax upon such claimed water right, and for certain public records based upon such returns, and for presumptions of law based upon such returns, and for presumption of abandonment based upon failure of such water right claimants to make such returns, and prescribing the duties of County Assessors, County Treasurers, County Clerks and Records and the State Engineer with reference to such returns, records and water right license taxes, and for payment of a part of such license taxes to the State Treasurer to be by him placed in a fund known as State Engineer's water right fund, from which to pay the salaries and expenses of the State Engineer, his assistant and employes, and Water Commissioners appointed by him, and providing for the adjudication of water rights upon complaint of the State Engineer filed in the district court, and the procedure in connection therewith, and for the making of rules and regulations and orders and determinations thereunder by the State Engineer respecting the nature, extent or priority of rights, and the distribution and use of water, and for appeals to the District Court by parties dissatisfied with same, or with the action of said State Engineer thereunder and procedure in connection therewith." .....	224, 374.
269	A Bill for an Act entitled: "An Act to provide that no candidate for an office at a primary nominating election shall be nominated on any other ticket named in his nominating petition; prohibiting the counting of votes for such candidate on any other party ticket; and providing for the nomination of the person receiving the next highest number of votes on such party ticket." .....	224, 319, 370, 371, 423, 436, 458, 599, 602.
270	A Bill for an Act entitled: "An Act to provide for the appontment, qualification, duties and compensation of inspectors of boilers, engines, machinery, Hazardous plants and engineers; the examination, classification and licensing of engineers and operators of steam and other hazardous machinery; the inspection of boilers, engines, machinery hazardous plants and the issuance of safety certificates there-	

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	on; the collection of certain fees for examination of engineers and operators of hazardous machinery; and for the inspection of boilers, engines, machinery and hazardous plants; and regulations for the sale of second hand boilers, all under the jurisdiction of the Industrial Accident Board; providing penalties for violation of the several provisions of the Act and repealing Sections 2712 to 2736, both inclusive, Sections 4209 to 4211, both inclusive, and Sections 11196 to 11198, both inclusive, Revised Codes of Montana, 1921." .....	224, 360, 481.
271	A Bill for an Act entitled: "An Act to amend Chapter 88 of Volume No. 2, of the Revised Codes of Montana of 1921, by adding thereto one new Section to be known as Section 8290-A, relating to mortgage on growing crops and providing for exemptions." .....	225, 252.
272	A Bill for an Act entitled: "An Act to amend Section 145 of the Montana Revised Codes of 1921, relating to the fees charged by the Secretary of State." .....	225, 283, 319, 370, 371, 407, 423, 457,
273	A Bill for an Act entitled: "An Act to amend Sections 917, 918 and 921 of the Revised Codes of Montana, 1921, relating to the establishment and location of the Northern Montana Agricultural and Manual Training School; providing for its relocation at Havre, Montana; providing for the appointment of an executive board for said school; prescribing the powers and duties of said board, and providing for a report by said executive board concerning the functions of said school, to be made to the Twentieth Legislative Assembly of the State of Montana." .....	557, 559.  225.
274	A Bill for an Act entitled: "An Act to repeal Section 11511 of the Revised Codes of Montana, 1921, relating to the transportation of animals in a car or vehicle." .....	225, 245.
275	A Bill for an Act entitled: "An Act to amend Sections 5465, 5502 and 5507 of the Revised Codes of Montana, 1921, as amended by Chapter 31 of the Eighteenth Legislative Assembly, 1923, and to amend Section 5503 of the Revised Codes of Montana, 1921, all relating to the commission-manager plan of government." .....	225, 269, 302, 370, 407, 424, 457, 602, 624, 633.
276	A Bill for an Act entitled: "An Act to amend Section 6069 of the Revised Codes of Montana of 1921, relating to the Reserve, requirements, overdrafts and limiting the borrowing by banks operating under the laws of the State of Montana." .....	235, 244, 280, 368, 379, 391, 423, 435, 485, 559, 576, 586.



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277	A Bill for an Act entitled: "An Act to amend Section 4767 of the Revised Codes of Montana of 1921, as amended by Chapter 89 of the Laws of the Eighteenth Legislative Assembly, relating to the deposits of county, city and town funds." .....	235, 244, 280, 368, 379, 391, 443, 447, 559, 599, 600, 602, 627, 635, 642, 661, 667, 682, 689.
278	A Bill for an Act entitled: "An Act to create a banking code committee and prescribe its powers and duties and making appropriation therefor." .....	235, 431, 520, 528, 530, 540, 576, 641, 655, 676, 678, 681, 691, 704.
279	A Bill for an Act entitled: "An Act to amend Section 11052, Revised Codes of Montana of 1921, and repealing Sections 11053, 11096, 11097, 11098 and 11099, Revised Codes of Montana of 1921, relating to the manufacture, sale, purchase and transportation of intoxicating liquors in this state." .....	235, 330, 362, 391, 392.
280	A Bill for an Act entitled: "An Act for the promotion of horticulture, providing for the control of insect pests and plant diseases, defining the powers of municipal authorities and of the department of agriculture, labor and industry of the State of Montana in that regard and providing penalty for the violation of this Act." .....	236, 253, 280, 368, 391, 415, 438, 474, 482, 540, 576, 586.
281	A Bill for an Act entitled: "An Act to amend Section 4272 of the Revised Codes of Montana of 1921, relating to penalty for violation of standard apple box and grades Act." .....	236, 253, 280, 368, 369, 372, 385, 394, 479, 554, 611.
282	A Bill for an Act entitled: "An Act relating to the licensing of public sprayers of trees and plants prescribing their duties and fixing penalties for violation of this Act." .....	236, 253, 269, 280, 368, 391, 415, 438, 474, 482, 541, 576, 586.
283	A Bill for an Act entitled: "An Act to appropriate money from the Industrial Accident fund of the State of Montana for payment of compensation on the claim of Oscar G. Haines, which claim was disallowed by the Industrial Accident Board because it was not presented within six months following the date of the injury." .....	236, 433, 442, 452, 462, 477, 559, 571, 589, 598, 604.
284	A Bill for an Act entitled: "An Act to amend Section 3403 of the Revised Codes of Montana of 1921, relating to the running at large of bulls." .....	237, 244, 261, 360, 362, 372, 387, 394, 441, 477, 498, 522, 572.

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285	A Bill for an Act entitled: "An Act for the establishment and construction of a fish hatchery along the waters of Rock Creek in Granite County, Montana, making an appropriation therefor and an appropriation for the maintenance thereof for the years 1925 and 1926." .....	238, 419, 481, 520, 528, 529, 540, 576, 600, 624, 632.
286	A Bill for an Act entitled: "An Act providing for days of rest and vacations for city firemen." .....	238, 270, 302, 370, 407, 425, 458, 586.
287	A Bill for an Act entitled: "An Act establishing a license tax on livestock coming into Montana from other states, and grazing therein, providing for collection of same and distribution of such tax and fixing the penalties for violation of this Act." .....	238, 321, 354, 391, 423, 435, 458, 589.
288	A Bill for an Act entitled: "An Act to amend Section 2056 of the Revised Codes of Montana of 1921, relating to county assessor's present ownership books and repealing all Acts and parts of Acts in conflict herewith." .....	238, 306, 339, 370, 371, 401, 402, 423, 434, 458, 569, 577, 586.
289	A Bill for an Act entitled: "An Act declaring abandoned horses running at large upon the open range in the State of Montana to be a public nuisance; defining 'abandoned horse;' defining 'open range;' condemning abandoned horses running upon the open range; providing for roundups and for sale and other disposition of abandoned horses taken up in such roundups; providing for reclamation of any abandoned horse by its owner; providing for the taxation of abandoned horses; and providing for notices and procedure." .....	238, 244, 280, 368, 369, 407, 425, 458, 559, 589, 632.
290	A Bill for an Act entitled: "An Act amending Section 4028 of the Revised Codes of Montana of 1921, relating to regulation of stockholders and investment companies (Blue Sky Laws)." .....	238, 296.
291	A Bill for an Act entitled: "An Act to abolish the county contingent fund and to legalize and establish a petty cash fund in lieu thereof by amending Sections 4632 and 4633 of the Revised Codes of Montana of 1921, relating to the county contingent fund; and also to amend Sections 4864 and 4868 of the Revised Codes of Montana of 1921, relating to the disposition of fees of county officers and salaries of county officers and how paid." .....	238, 329, 362, 391, 407, 425, 458, 559, 571, 578, 627, 635, 652, 679.
292	A Bill for an Act entitled: "An Act to amend Section 9428 of the Code of Civil Procedure, Revised	



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	Codes of Montana, 1921, relating to specific exemption to all judgment debtors who are married, or who are heads of families." .....	238, 413.
293	A Bill for an Act entitled: "An Act relating to the protection of bear and declaring a closed season thereon." .....	238, 307, 339, 370, 371.
294	A Bill for an Act entitled: "An Act to amend Section 964, Revised Codes, 1921, relating to school warrants and providing when warrants may be issued in anticipation of taxes levied but not collected." .....	238, 321, 354, 391, 423, 435, 458, 500, 554, 611.
295	A Bill for an Act entitled: "An Act to amend Section 2235, Revised Codes of Montana, 1921, relating to sales of tax title property by Boards of County Commissioners." .....	243, 430, 466, 486, 497, 506, 540, 557, 558.
296	A Bill for an Act entitled: "An Act to repeal Section 7798 of the Revised Codes of Montana for 1921, requiring that the entire time of a domestic servant belongs to the master, and the time of other servants to such an extent as is usual in the business in which they serve not exceeding in any case ten hours in the day." .....	243, 374.
297	A Bill for an Act entitled: "An Act providing for the registration of all marriages and divorces occurring within the State of Montana with the State Registrar of Vital Statistics, fixing fees for the issuance of marriage licenses and for recording marriage licenses and certificates and decrees of divorce, providing for the necessary forms and blanks; making violation of this Act a misdemeanor and providing a penalty therefor and repealing Sections 5713, 5716, 5718 and 5720 of the Revised Codes of 1921 of the State of Montana." .....	243, 297, 319, 370, 371, 399, 423, 434, 458, 558, 571, 586.
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21	A Bill for an Act entitled: "An Act to amend Section 6023 of the Revised Codes of Montana, 1921, relating to the amount of the capital stock of a commercial bank." .....	84.
22	A Bill for an Act entitled: "An Act to amend Section 5916 of the Revised Codes of Montana of 1921, providing for continuance of corporate existence by domestic corporations." .....	84.
23	A Bill for an Act entitled: "An Act to amend Section 5918 and Section 5926 of the Revised Codes of Montana of 1921, relating to the extension of the term of existence of corporations." .....	84, 107, 146, 155, 156, 311, 370, 371, 438, 444, 481.
24	A Bill for an Act entitled: "An Act to amend Section 4482 Revised Codes of Montana, 1921, relating to contracts for county printing." .....	84, 300.
25	A Bill for an Act entitled: "An Act to validate and make legal certain county warrants drawn on the poor funds of the respective counties of the State of Montana for services actually rendered, or for goods or materials actually furnished, which warrants were drawn and registered since the passage and approval of Chapter 209 of the Session Laws of 1921, passed by the Seventeenth Legislative Assembly of the State of Montana and without compliance with said Chapter, and to authorize the payment of the same." .....	84, 207, 227, 235, 239, 306, 370, 371, 438, 445, 481.
26	A Bill for an Act entitled: "An Act to amend Section 6028 of the Revised Codes of Montana of 1921, relating to selection of officers of commercial state banks." .....	94, 107, 146.
27	A Bill for an Act entitled: "An Act for the submission to the qualified electors of the State of Montana of an amendment to Section 3 of Article V of the Constitution of the State of Montana, relating to the qualifications of members of the Legislative Assembly." .....	108.
28	A Bill for an Act entitled: "An Act to validate and to cure all irregularities connected with certifi-	

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	cates of tax sales heretofore issued to any county or its successors and assigns by reason of delinquent tax sales, and not cured or validated by previous validating Acts." .....	108, 455, 456.
29	A Bill for an Act entitled: "An Act regulating the drilling and operation of oil and gas wells relating to the conservation of oil and natural gas, providing for the administration of the Act and by the Board of Railroad Commissioners of the State of Montana, and repealing Sections 3547, 3548, 3553, and 3554, of the Revised Codes of Montana, 1921." .....	118, 179, 227, 236, 239, 393, 438, 523, 536, 544.
30	A Bill for an Act entitled: "An Act to amend Section 4390 of the Revised Codes of 1921, relating to creation of new counties." .....	118, 227, 236, 239, 252, 318, 319.
31	"An Act relating to drunkenness as being no excuse for crime and how insanity as a defense must be proven, and amending Section 10728 of the Codes of the State of Montana of 1921, being a part of Chapter 1 of the Penal Code of the State of Montana of 1921, entitled 'Definitions and preliminary provisions,' by adding to said Section a sub-division or sub-section to be known as Number 2, and which relates to how insanity, as a defense, shall be proven. ....	118, 440, 441, 550, 560, 584, 585, 597, 605, 645.
32	"An Act relating to and to regulate the granting of new trials and the reversal and setting aside of judgments in any case, civil or criminal." .....	118.
33	A Bill for an Act entitled: "An Act to amend Sections 1755, 1756, 1757, 1758, 1759, 1760 and 1761, Revised Codes of Montana, 1921, relating to the registration and identification of motor vehicles and operators thereof." .....	118.
34	A Bill for an Act entitled: "An Act relating to free text books for school districts and county high schools; providing for the purchasing and furnishing of the same and for the levying of a special tax for such purposes; providing for penalty for the violation of the provisions of this Act and repealing Sections 1198 and 1199 of the Revised Codes of Montana, 1921." .....	118, 227, 286, 381, 408, 411, 553, 593, 605, 645.



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35	A Bill for an Act entitled: "An Act to regulate the occupations of barbering, conducting barber schools, hair dressing and beauty parlor work, and requiring all who work at such occupations to first obtain a license therefor, and requiring that said practitioners shall have an examination before they shall carry on said work; to create a board of examiners and provide for the appointment of said board; to authorize rules regulating the proper sanitation of barber shops, barber schools, beauty parlors and hair dressing establishments; to prevent the spreading of communicable diseases; to give said board power to make examinations of such establishments as are covered by this Act, to ascertain the sanitary condition thereof; to give to said board the power to revoke licenses; and to provide and fix penalties for violation of any of the terms of this Act." .....	130.
36	A Bill for an Act entitled: "An Act to amend Section 4143 Revised Codes, Montana, 1921, pertaining to the requirements of abstractors or titles relating to the renewal of abstractors bonds." .....	130, 227, 236, 239, 450, 524, 536, 559, 563.
37	A Bill for an Act entitled: "An Act to amend Sections 715 and 716 Revised Codes 1921, Section 717 Revised Codes 1921 as amended by Chapters 151 Session Laws 1923, and Section 720, Revised Codes 1921, relating to voting by absent voters, so as to extend the provisions thereof to persons incapacitated by sickness or injuries." .....	130, 276, 367, 408, 411, 440, 538, 544, 560, 619, 630.
38	A Bill for an Act entitled: "An Act to amend Section 644 Revised Codes of Montana, 1921, as amended by Chapter 133 Session Laws 1923, relating to the place and time for filing petitions for nominations for primary nominating elections." .....	130, 156, 207.
39	A Bill for an Act entitled: "An Act providing for carrying out the provisions of Sections 1999 and 2000, of the Revised Codes of Montana for 1921, relating to classification of taxable property, and providing for the duties of the various county and state officers in relation thereto." .....	145, 368, 379, 380, 432, 538, 545, 580.
40	A Bill for an Act entitled: "An Act relating to the levying of taxes in joint school districts." .....	146.

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41	A Bill for an Act entitled: "An Act establishing and defining the boundary line between Yellowstone and Carbon counties." .....	146, 227, 241, 254, 257, 307, 360, 370, 371, 438, 467, 481.
42	A Bill for an Act entitled: "An Act relating to the borrowing of money, contracting indebtedness and issuing of bonds by incorporated cities and towns, and repealing Sections 5278, 5279, 5280, 5281, 5282, 5283, 5284, 5285, 5286, 5287 and 5288, Revised Codes of Montana, 1921." .....	146, 258, 270, 273, 438, 523, 544, 553, 630, 657.
43	A Bill for an Act entitled: "An Act to provide for a budget system for the control of all expenditures of State money and to repeal Sections 294 to 304, inclusive, Revised Codes of Montana, 1921." .....	156.
44	A Bill for an Act entitled: "An Act to establish a State Board of Forestry, defining the powers and duties of such board, providing for the appointment of the members and officers of such board and providing for the enforcement of the rules and regulations made by said board and of the laws relating to the protection and perpetuation of the forests and forest lands of the State of Montana, and to repeal Sections 1833, 1836, 1839, 1841, 1842, 1848, 2763, 2765, 2766, 2767, 2769, 2771, 2772, 2773, 2774, 2775, 2776, 2777, and 4470 of the Revised Codes of Montana, and all other Acts and parts of Acts in conflict herewith." .....	156, 395.
45	A Bill for an Act entitled: "An Act to amend Section 1215, Revised Codes of Montana, 1921, as amended by Chapter 14, Session Laws of 1923, relating to reports to county superintendents of schools of valuations of school districts." .....	156, 316, 320, 404, 438, 523, 537, 559, 563.
46	A Bill for an Act entitled: "An Act to amend Section 964, Revised Codes of Montana, 1921, relating to the apportionment of school moneys and school district warrants." .....	156.
47	A Bill for an Act entitled: "An Act relating to irrigation districts, authorizing and empowering irrigation districts and the commissioners thereof to purchase lands sold for delinquent taxes, whenever taxes or assessments of such irrigation districts form all or a part of the taxes for which said lands are sold; to purchase and take assignment of certificates of tax sales of said lands bid in by the county for delinquent taxes, being in whole or in	

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	part taxes or assessments of such irrigation districts; to take title to the lands so sold for taxes in case they are not redeemed, as provided by law; to purchase such lands from the county, when tax deeds therefor have issued to the county; to lease, operate, sell and dispose of the same as may seem for the best interest of such district; and to commence, maintain and prosecute suits to quiet title as to the lands purchased; and relating to the period of redemption and the issuance of tax deed of property in such irrigation district, repealing all Acts or parts of Acts in conflict herewith.".....	167, 346, 476, 497, 509, 580, 581, 594, 618, 635, 654, 673.
48	A Bill for an Act entitled: "An Act to authorize the use of seines and other nets in Flathead Lake by licensed commercial fishermen, and providing that the fish and game commission may license such fishermen and make rules and regulations for their operations and designate what varieties of fish they may catch in nets and sell." .....	167.
49	"An Act to amend Section 3914 of the Revised Codes of the State of Montana of 1921, and repealing Sections 3916-3938 and 3946 of the Revised Codes of the State of Montana of 1921, and all Acts and parts of Acts in conflict herewith.".....	167.
50	A Bill for an Act entitled: "An Act to amend Section 7093 of the Revised Codes of Montana, 1921, relating to the appropriation of water." .....	181.
51	A Bill for an Act entitled: "An Act relating to irrigation districts and empowering the State Land Board to consent to the inclusion of state lands therein; to sign petitions for issuance of bonds of such districts, and to sign petitions for contracts with the United States in relation thereto." .....	181, 258, 270, 273, 550, 560, 593, 606, 645.
52	A Bill for an Act entitled: "An Act to amend Section 6269 of the Revised Codes of Montana, 1921, relating to the investment of funds of life insurance companies." .....	181, 297, 299, 311, 370, 371, 438, 523, 537, 559, 563.
53	A Bill for an Act entitled: "An Act to provide for the prevention of the introduction and spread of diseases among livestock, including poultry, dogs and other animals; authorizing the Governor to issue a proclamation designating the territory in which such disease may exist and forbidding the	



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	importation therefrom, except under certain restrictions, of any such livestock, poultry, dogs or other animals, and of any article or commodity likely to convey such disease; and prescribing penalties for the disobedience of such proclamation." .....	181, 207, 236, 239, 341, 438, 467, 481.
54	A Bill for an Act entitled: "Ant Act making it unlawful for any owner, or person having the management or control, of a stallion, ridgeling, unaltered male mule, or jackass, over the age of one year, to permit or suffer it to run at large on the open range; defining open range; declaring such animal so running at large a public nuisance; prescribing penalties for violations of this Act; providing that such owner or person having management or control shall be liable for all injuries caused by such running at large; providing for the proceedings and notices necessary to be taken and given for the castration, and disposal of such animals; and repealing Sections 3396, 3397, 3398, 3399 and 3400 of the Revised Codes of Montana of 1921." .....	181, 207, 316, 368, 408, 411, 431, 538, 539, 545, 580.
55	A Bill for an Act entitled: "An Act to provide for the submission to the qualified electors of the State of Montana an amendment to Article II of the Constitution of the State of Montana, relating to revenue and taxation by adding a new section thereto providing for the levying of taxes for the purpose of insuring growing crops against loss or damage by hail." .....	195, 207, 600, 619, 624, 639, 666, 668, 669, 679.
56	"An Act to amend Section 618 of the Revised Codes of Montana of 1921, relating to when and where certificates of nomination to state, county and municipal offices must be filed, and providing that the provisions of this Act shall not be held to apply to nominations for special elections to fill vacancies." .....	195, 207, 368, 379, 380, 414, 523, 524, 537, 559, 563.
57	A Bill for an Act entitled: "An Act to amend Section 6108 of the Revised Codes of Montana, relative to the liability of banks on negotiable instruments forwarded for collection." .....	195, 207, 316, 457, 474, 475, 527, 544, 547, 563.

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58	A Bill for an Act entitled: "An Act to amend Section 2392 of the Revised Codes of Montana, 1921, as amended by Section 3 of Chapter 150 of the Session Laws of the Eighteenth Legislative Assembly, relating to the distribution of monies received from the gasoline license taxes." .....	195, 207, 457, 477.
59	A Bill for an Act entitled: "An Act to provide for the nomination of candidates for office, to regulate the calling and holding of primary meetings and county and state conventions for the purpose of nominating such candidates, to impose penalties for violations of this Act, and to repeal Sections 624, 625, 626, 627, 628 Chapter 51, repeal Chapters 52 and 53, being Sections 631 to 676, both inclusive, of the Revised Codes of Montana, 1921, and all other Acts and parts of Acts in conflict herewith." .....	195, 207, 346, 411.
60	A Bill for an Act entitled: "An Act authorizing the establishment of fiscal agencies for the payment of bonds and bond interest coupons which are issued by the State of Montana and all counties, cities, towns, school districts, irrigation districts or drainage districts of the State of Montana; prescribing the regulations to govern the same, and repealing all Acts and parts of Acts in conflict herewith." .....	195, 207, 347, 368, 408, 411, 488, 541, 597, 606, 645.
61	A Bill for an Act entitled: "An Act authorizing the State Treasurer of the State of Montana to discontinue the carrying of the Veterans Welfare Interest and Sinking Fund and authorizing the State Treasurer to transfer all moneys in said fund to the General Fund of the State." .....	207, 208, 275, 297, 299, 375, 438, 467, 481.
62	A Bill for an Act entitled: "An Act to amend Section 182 of the Revised Codes of Montana of 1921, as amended by Chapter 85 of the Laws of the Eighteenth Legislative Assembly, relating to the depositing of funds in the hands of the State Treasurer and providing for the securing of such deposits." .....	207, 208.
63	A Bill for an Act entitled: "An Act to authorize the State Treasurer of the State of Montana to discontinue the carrying of the Capitol Annex Bond Fund and to authorize the State Treasurer of the	

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	State of Montana to transfer all moneys from said fund to the Capitol Building Interest and Sinking Fund." .....	207, 208, 275, 297, 299, 375, 438, 468, 481.
64	A Bill for an Act entitled "An Act to amend Section 2645 of the Revised Codes of Montana of 1921, relating to the disposition of the fees collected by the State Board of Health." .....	207, 208, 275, 297, 299, 375, 438, 468, 481.
65	A Bill for an Act entitled: "An Act to authorize the State Treasurer of the State of Montana to discontinue the carrying of the Biological Station Maintenance Fund, and authorizing the State Treasurer to transfer the money in said fund to the University interest and income fund of the State of Montana." .....	207, 208, 275, 297, 299, 375, 438, 468, 481.
66	A Bill for an Act entitled: "An Act to authorize the State Treasurer of the State of Montana to discontinue the carrying of the Anti-Hog-Cholera Serum Fund; and authorizing the State Treasurer to transfer the money in said fund to the General Fund of the State of Montana." .....	207, 208, 275, 297, 299, 375, 438, 469, 481.
67	A Bill for an Act entitled: "An Act to repeal Section 4208 of the Revised Codes of Montana of 1921, relating to the State Gasoline Inspection Fund and authorizing the State Treasurer to transfer the balance now therein to the General Fund." .....	207, 208, 276, 297, 299, 375, 438, 469, 481.
68	A Bill for an Act entitled: "An Act relating to irrigation districts, amending Sections 7210, 7211, 7216, 7218, and 7226 of the Revised Codes of Montana, 1921, and as amended by the Laws of the Eighteenth Legislative Assembly of the State of Montana, and making it optional with irrigation districts, organized under the provisions of Chapter 146 of the Laws of 1909 and the amendments thereto, as to whether bonds issued by such district shall be submitted to the irrigation district bond commission of the State of Montana for approval." .....	207, 208.



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69	"A Bill for an Act to amend Section 1760 of the Revised Codes of Montana, 1921, as amended by Chapter 107 of the Session Laws of Montana of 1923, relating to the registration fees for motor vehicles and the disposition thereof and repealing all Acts and parts of Acts in conflict herewith.".....	207, 208, 337.
70	A Bill for an Act entitled: "An Act to amend Section 6032 of the Revised Codes of Montana of 1921, relating to change of place of business and number of directors of banks." .....	207, 208, 300, 311, 315, 330, 438, 469, 481.
71	A Bill for an Act entitled: "An Act to amend Section 3170, Revised Codes of Montana, 1921, relating to the sale of poisons." .....	209, 347.
72	A Bill for an Act entitled: "An Act to amend Sections 917, 918 and 921 of the Revised Codes of Montana, 1921, relating to the establishment and location of the Northern Montana Agricultural and Manual Training School; providing for its relocation at Havre, Montana; providing for the appointment of an executive board for said school; prescribing the powers and duties of said board, and providing for a report by said executive board concerning the functions of said school, to be made to the Twentieth Legislative Assembly of the State of Montana." .....	228, 347, 365, 542, 544, 560, 564.
73	A Bill for an Act entitled: "An Act to amend Section 273 of the Revised Codes of Montana, 1921, relating to the powers of the State Board of Examiners." .....	228.
74	A Bill for an Act entitled: "An Act to amend Section 648 of the Revised Codes of Montana of 1921, relating to the time the Secretary of State shall arrange for the arrangement and notice of nominations." .....	228.
75	A Bill for an Act entitled: "An Act to amend Section 649 of the Revised Codes of Montana of 1921, relating to the time the county clerk or city clerk shall arrange for the arrangement of ballots and notice." .....	228.
76	A Bill for an Act entitled: "An Act defining the right of the State to priority of payment in insolvency proceedings and forbidding such right to sureties and guarantors making payment of obligations due the State." .....	228, 476.

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77	A Bill for an Act entitled: "An Act authorizing the State Board of Examiners to issue and dispose of 'Capitol Building Bonds' to the amount of twenty-five thousand dollars for the purpose of constructing a vault in connection with the office of the State Treasurer." .....	228, 276, 297, 299, 308, 370, 371, 393, 399, 411, 481.
78	A Bill for an Act entitled: "An Act providing for submitting to the qualified electors of the State of Montana, the question and asking for their advice as to the desirability of the ratification of the proposed twentieth amendment to the Federal Constitution by the General Assembly of Montana." .....	240.
79	A Bill for an Act entitled: "An Act fixing and regulating the fees which shall be charged by abstractors of title and repealing Section 4141 of the Revised Codes of Montana of 1921, and repealing all Acts and parts of Acts in conflict herewith." .....	241.
80	A Bill for an Act entitled: "An Act to create a public corporation to be known as 'The State Bar of Montana,' to provide for its organization, government, membership, and powers, to regulate the practice of law, and to provide penalties for violation thereof." .....	241.
81	A Bill for an Act entitled: "An Act to amend Sections 10904 and 10908 of the Revised Codes of Montana, 1921, relating to unfair discrimination in purchase price and sales price of commodities, and repealing all Acts and parts of Acts in conflict herewith." .....	241.
82	A Bill for an Act entitled: "An Act to amend Section 6280 of the Revised Codes of the State of Montana of 1921, relating to contingency reserves of life insurance companies." .....	241, 316, 320, 337, 379, 438, 524, 544, 547, 567.
83	A Bill for an Act entitled: "An Act to amend Section 6039 of the Revised Codes of Montana of 1921, as amended by Chapter 9 of the Laws of the Eighteenth Legislative Assembly, relating to liability of stockholders in state banks and providing means for paying and collecting said liability." .....	241, 381, 411, 457, 477.
84	A Bill for an Act entitled: "An Act to amend Section 619 of the Revised Codes of Montana of 1921, relating to the time secretary of state must certify to the county clerk, names of persons nominated." .....	259, 368, 379, 380, 414, 524, 538, 544.

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85	A Bill for an Act entitled: "An Act to abolish the law department of the state university, the department of school of journalism, and the department of pharmacy of the university of Montana at Missoula, and repealing Sections 872, 873 and 874 of the Revised Codes of Montana of 1921." .....	259.
86	A Bill for an Act entitled: "An Act to amend Sections 4318 and 4327 of the Revised Codes of the State of Montana, 1921, relating to changing the boundaries of Fergus and Judith Basin counties."....	260, 476, 497, 510, 582, 586, 592, 600, 640, 658, 666, 672, 679, 690.
87	A Bill for an Act entitled: "An Act providing for the removal by the Board of County Commissioners of county high school trustees for cause, and the filling of the vacancy resulting therefrom.".....	273, 274, 476.
88	A Bill for an Act entitled: "An Act to amend Sections 6489, 6490, 6492 and 6494 of the Revised Codes of Montana, 1921, relating to the appointment of trustees of cemetery association funds."....	273, 274, 381, 441, 523, 544, 548, 567.
89	A Bill for an Act entitled: "An Act amending Section 1928 of the Revised Codes of Montana of 1921, as amended by Section 1 of Chapter 6 of the Session Laws of the Eighteenth Legislative Assembly of Montana of 1923; repealing Sections 1929 to 1937 inclusive and Sections 1939 to 1948 inclusive of the Revised Codes of Montana of 1921 and Sections 2, 3, 4, and 5 of Chapter 6 of the Session Laws of the Eighteenth Legislative Assembly of Montana of 1923, all relating to the manner of investment of money belonging to the permanent common school funds and to other permanent education, charitable and penal institutions.".....	273, 274, 510, 532, 629, 657.
90	A Bill for an Act entitled: "An Act to amend Section 7073 of the Revised Codes of Montana of 1921, relating to the succession to and distribution of property." .....	273, 274, 455, 456, 552.
91	A Bill for an Act entitled: "An Act to amend Section 10030 of the Revised Codes of Montana of 1921, relating to the probate of wills." .....	273, 275, 476, 510, 532, 565, 593, 629, 666, 670, 679.
92	A Bill for an Act entitled: "An Act requiring every railroad within the State of Montana to keep at each station thereof a car order book; providing	



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	what entries shall be made therein; making such car order book a public record, subject to inspection; providing the manner of distributing cars ordered; providing for reports thereof to the State Board of Railroad Commissioners providing who may order cars; providing that civil action may be brought to recover damages sustained due to violation of this Act; defining the terms "railroad" and "agent;" making the violation of any of the provisions of this Act a misdemeanor, and providing a penalty therefor, and repealing all Acts and parts of Acts in conflict herewith." .....	273, 275.
93	A Bill for an Act entitled: "An Act relating to the allowance of attorney's fees on foreclosure of liens, and to amend Section 9799 of the Revised Codes of Montana of 1921." .....	273, 275, 381, 409, 411, 450, 538, 546, 580.
94	A Bill for an Act entitled: "An Act to amend Sections 537 and 105 of the Revised Codes of Montana of 1921, relating to the manner of publication of proposed constitution, constitutional amendments or other questions to be submitted to the people of Montana for popular vote; and providing for the publication of arguments for and against such questions." .....	273, 275, 381, 409, 411, 552.
95	A Bill for an Act entitled: "An Act to amend Section 1916 of the Revised Codes of Montana of 1921, relating to redemption of bonds before maturity where owned by the State." .....	273, 275, 381, 409, 411, 488, 543, 548, 563.
96	A Bill for an Act entitled: "An Act regulating foreign corporations doing business in this state; designating the fees to be paid by such corporations for filing in the office of the Secretary of State copies of their charter or articles of incorporation, and defining the manner of computing the same; requiring the filing of reports and the making of statements by such corporations, and repealing Chapter 132 of the laws of the 18th Legislative Assembly of Montana of 1923, and all other Acts in conflict herewith." .....	273, 275, 368, 379, 380, 418, 524, 550, 597, 606, 645.
97	A Bill for an Act entitled: "An Act providing for a budget system for making and controlling estimates, expenditures, and tax levies by school districts and county high schools." .....	273, 275, 510, 532, 557.
98	A Bill for an Act entitled: "An Act to amend Section 4464 of the Revised Codes of Montana of 1921, relating to the compensation, mileage and	

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	expenses of members of the Board of County Commissioners." .....	273, 275, 510, 532, 564.
99	A Bill for an Act entitled: "An Act authorizing and empowering city and town councils in cities and towns owning and operating municipal water systems as public utilities, to furnish water to factories and other industries located within or outside the corporate limits of such cities or towns, and providing what rates for service shall be charged therefor." .....	286, 368, 381, 409, 411, 448, 538, 546, 563.
100	A Bill for an Act entitled: "An Act to permit the storage of explosives upon the rights of way of railroads during construction and when such railroads are in actual operation, at certain points and places where emergency use for such explosives is likely to occur." .....	286, 476, 497, 510, 565.
101	A Bill for an Act entitled: "An Act to amend Section 6039 of the Revised Codes of Montana of 1921 relating to the investment of capital of savings banks." .....	286, 368, 379, 380, 404, 438, 538, 546, 580.
102	A Bill for an Act entitled: "An Act relating to redemption for tax sales amending Section 2202 of the Revised Codes of Montana, thereby authorizing redemption to be made from tax sale for irrigation district taxes upon surrender of debenture certificates." .....	286.
103	A Bill for an Act entitled: "An Act relating to irrigation districts, amending Sections 7244 and 7245 of the Revised Codes of Montana, authorizing and empowering the board of commissioners of irrigation districts to sell debenture certificates for such consideration as to them shall seem just, and empowering county treasurers to accept in payment of taxes for which debenture certificates have been issued an amount less than that called for by the certificates." .....	286.
104	A Bill for an Act entitled: "An Act to amend Sections 6078 and 6079 of the Revised Codes of Montana of 1921, relating to the powers and duties of the superintendent of banks over insolvent banks or banks with an impaired capital, and providing for establishing claims against such banks, and providing for the procedure for the liquidation of banks, and the appointment of receivers." .....	286.

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105	A Bill for an Act entitled: "An Act to amend Section 6023 of the Revised Codes of Montana of 1921, relating to the amount of capital stock and surplus necessary to the procuring of certificate of authorization, and providing further for the fixing of the amount of capital stock and surplus necessary in cities or towns of different population.".....	286, 368, 411, 441, 455, 543, 548, 580.
106	A Bill for an Act entitled: "An Act to amend Section 699 of the Revised Codes of the State of Montana, relating to who may receive the assistance of the judges of election in marking their ballots.".....	287, 457.
107	A Bill for an Act entitled: "An Act to amend Section 1 of Chapter 90 of the Session Laws of the Eighteenth Legislative Assembly of the State of Montana relating to insolvency of banks." .....	287.
108	A Bill for an Act entitled: "An Act to repeal Chapter 159 of the Revised Codes of Montana of 1921, relating to the classification of taxable property.".....	301, 368.
109	A Bill for an Act entitled: "An Act making regulations regarding the conduct of the affairs of irrigation districts, under whatever law organized, and particularly regarding the disposition of debenture certificates, the right to vote at elections, and the manner of voting, and the pledging and administration of income derived from sources other than taxes and assessments." .....	301.
110	A Bill for an Act entitled: "An Act to amend Sections 4312 and 4327 of the Revised Codes of the State of Montana, 1921, relating to changing the boundaries of Chouteau and Judith Basin Counties.".....	301.
111	A Bill for an Act entitled: "An Act to simplify and coordinate administration by changing the name of the Board of Railroad Commissioners of the State of Montana to 'Public Service Commission of Montana'; by keeping the name 'Public Service Commission'; by changing the name of the Montana Trade Commission to 'Public Service Commission of Montana'; and by changing the name of the Montana Irrigation Commission to 'Public Service Commission of Montana.' .....	301, 510, 532, 551, 560.
112	A Bill for an Act entitled: "An Act making regulations regarding irrigation districts, under whatever law they may be organized, and particularly relating to the qualifications and disqualifications of commissioners of irrigation districts, and the qualifications to vote at irrigation district elections." .....	301.



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113	A Bill for an Act entitled: "An Act regulating public dances, dance halls, and other places of amusement, defining the powers of boards of county commissioners, city and town councils and city commissioners in relation thereto, governing the attendance of minors thereat, providing for the licensing and supervision thereof, and fixing penalties for the violation of this Act." .....	301.
114	A Bill for an Act entitled: "An Act authorizing the state board of examiners, for and on behalf of the State of Montana, to sell treasury notes of the State of Montana, with interest coupons attached, in the sum of three million seven hundred fifty thousand dollars (\$3,750,000.00) for the purpose of paying and refunding outstanding warrants chargeable against the general fund of the State of Montana; making provisions as to the terms and conditions thereof, and directing the disposition of the proceeds thereof; providing for the repayment of the same and the interest thereon, and creating, for the purpose of such repayment, out of any moneys accruing to the general fund of the State of Montana a special fund to be known as the 'Treasury Note Redemption Fund', and authorizing the issuance of such series of treasury notes, and making an appropriation for the payment of all expenses incident to the issuance and sale of said notes." .....	301, 510, 533, 640, 666, 678, 679, 681, 682, 690.
115	A Bill for an Act entitled: "An Act relating to irrigation districts and amending Sections 7214 of the Revised Codes of Montana, 1921, as amended by Section 9 of Chapter 157 of the Session Laws of 1923." .....	317.
116	A Bill for an Act entitled: "An Act amending Section 8812 of the Revised Codes of Montana of 1921, relating to judicial districts, and abolishing the twelfth judicial district and attaching the county of Chouteau to the eighth judicial district, which district shall have two district judges." .....	317, 411, 441, 552.
117	A Bill for an Act entitled: "An Act to amend Sections 351 and 352 of the Revised Codes of Montana of 1921, as amended by Sections 4 and 5 of Chapter 40 of the Session Laws of the Eighteenth Legislative Assembly of Montana of 1923, relating to tax levies upon lands growing crops which are covered by state hail insurance." .....	317, 441, 552.
118	A Bill for an Act entitled: "An Act to repeal Sections 10737, 10738 and 10739, relating to sedition, of the Revised Codes of the State of Montana." .....	317.

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120	A Bill for an Act entitled: "An Act to repeal Sections 10745, and 10746 of the Revised Codes of Montana of 1921, relating to exhibiting red flag or emblem." .....	317.
121	A Bill for an Act entitled: "An Act to repeal Sections 10740, 10741 and 10742, relating to criminal syndicalism and sabbotage, and Sections 10743 and 10744, relating to unlawful assembling, of the Revised Codes of the State of Montana of 1921." .....	317.
122	A Bill for an Act entitled: "An Act creating a laborer's lien on the products of his work or labor, for such work and labor; and providing for the manner of the enforcement of such laborer's lien." .....	317, 381, 411.
123	A Bill for an Act entitled: "An Act providing that the County Treasurer in counties maintaining county High Schools shall keep moneys collected for maintenance of county and district high schools in a separate fund and shall not pay out such funds until they are apportioned by the county superintendent and providing for the payment of county high school warrants from certain funds." .....	337, 441, 553, 593, 607, 645.
124	A Bill for an Act entitled: "An Act consolidating the clerkship of the state board of examiners with the clerkship of the consolidated boards and requiring the clerk of the state board of examiners to perform all of the duties of the clerk of the consolidated boards pertaining to the board of pardons, board of commissioners for the insane, and the board of state prison commissioners, and repealing Section 123 of the Revised Codes of Montana of 1921." .....	337, 381, 409, 411, 488, 543, 549, 567.
125	A Bill for an Act entitled: "An Act to provide for a uniform method of distributing to the public schools all state revenue set aside for the public schools except such funds as are derived from the income from state lands." .....	337.
126	A Bill for an Act entitled: "An Act to provide for the letting of contracts for public printing, fixing the prices therefor, providing for an undertaking for the faithful performance of such contracts, providing a penalty for the violation of this Act, and repealing Section 4482 of the Revised Codes of Montana of 1921." .....	337.

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127	A Bill for an Act entitled: "An Act to amend Section 974 of the Revised Codes of Montana, 1921, providing days when office of county superintendent of schools shall be kept open." .....	337, 381, 409, 411, 552, 592, 607, 645.
128	A Bill for an Act entitled: "An Act to amend Section 1755, Chapter 135, of the Revised Codes of Montana of 1921, as amended by Chapter 107 of the laws of the Eighteenth Legislative Assembly, relating to the registrar of motor vehicles, motor dealers, and of chauffeurs, and providing for deputy and his salary and bond of the registrar and transfer of all books, records, files and office equipment." .....	348, 511, 533, 633, 657, 658, 673.
129	A Bill for an Act entitled: "An Act prescribing the qualifications of county superintendents of schools and fixing their salaries and repealing Sections 4869, 4870 and 4871 of the Revised Codes of Montana of 1921, and all other Acts and parts of Acts in conflict herewith." .....	348, 366, 411, 476.
130	A Bill for an Act entitled: "An Act for the submission to the qualified electors of the State of Montana of an amendment to Sections 2, 4, 5 and 6 of Article V and Article VI of the constitution of the State of Montana by striking therefrom all of Sections 2, 3, 4, 5 and 6 relating to the number, election and certification of senators and members of the House of Representatives and the sessions of the Legislative Assembly." .....	348.
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139	A Bill for an Act entitled: "An Act to amend Section 6358 of the Revised Codes of the State of Montana, 1921, relating to the powers of building and loan associations." .....	367, 456, 474, 475, 527, 544, 560, 590, 621.

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141	A Bill for an Act entitled: "An Act to amend Section 1282 of the Revised Codes of 1921, as amended by Chapter 19 of the Laws of the Eighteenth Legislative Assembly, relating to attendance at county high schools."	367, 476, 497, 510, 553, 593, 608, 545.
142	A Bill for an Act entitled: "An Act providing for filing all deeds and conveyances affecting real property; prescribing the quality of paper to be used; providing that filing shall be in lieu of recording instruments specified by Subdivision 1 of Section 4796; providing for certified copies of all instruments filed; providing for filed instruments to be permanently bound; providing for fees for filing, and providing penalties for removing any field instrument."	367.
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144	A Bill for an Act entitled: "An Act relating to encumbrances against real property, prohibiting same under certain circumstances and providing penalties for the violation of this Act."	367.
145	A Bill for an Act entitled: "An Act to amend Section 3653 of Chapter 255 of the Revised Codes of Montana of 1921, relating to powers and duties of fish and game commission."	367, 511, 533, 661, 666.
146	A Bill for an Act entitled: "An Act to amend Section 8278 Revised Codes of Montana, 1921, relating to the filing of mortgages on personal property and the keeping of the same after such filing."	366.
147	A Bill for an Act entitled: "An Act providing for the adjustment of auto license fees, heretofore remitted by the State of Montana to the several counties of the State, between counties whose boundaries have been changed, altered or adjusted on account of the formation of new counties which have failed in any way to participate in the proceeds thereof, providing for a method of making such adjustment and the payment thereof by the	

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149	A Bill for an Act entitled: "An Act to create a State Fish and Game Commission and to amend Section 3653 of the Revised Codes of Montana, 1921, and to repeal Sections 3650, 3651, 3652 and 3654 of the Revised Codes of Montana, 1921." .....	382, 500.
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152	A Bill for an Act entitled: "An Act creating a State Highway Department, providing for a State Highway Commission, and defining its powers and duties; assenting to the terms of the Federal Aid Act, transferring certain funds to the General Fund of the State, and repealing Sections 1783, 1784, 1785, 1786, 1787, 1788, 1789, 1790, 1791, 1792, 1799, 1800, and 1802 of the Revised Codes of Montana of 1921." .....	383.
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157	A Bill for an Act entitled: "An Act to amend Section 3697 of the Session Laws of the Eighteenth Legislative Assembly of Montana of 1923, relating to the open and closed season for deer." .....	383.
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160	A Bill for an Act entitled: "An Act to amend Sections 1040, 1041, 1042, 1043, 1044, and 1045, and to repeal Section 1048 of the Revised Codes of Montana, 1921, pertaining to the formation of rural school districts, the selection and qualification of trustees and their powers and duties." .....	395, 511, 533, 567, 593, 608, 654.
161	A Bill for an Act entitled: "An Act regulating public dances, dance halls, and other places of amusement; defining the powers of boards of County Commissioners, city and town councils and City Commissioners in relation thereto; governing the attendance of minors thereat; providing for the licensing and supervision thereof, and fixing penalties for the violation of this Act." .....	395, 511, 533, 582, 597, 618, 657, 663, 665.
162	A Bill for an Act entitled: "An Act to repeal Section 4758 of the Revised Codes of Montana, 1921, relating to the payment of warrants." .....	395, 510, 534, 560, 578.
163	A Bill for an Act entitled: "An Act acknowledging the State of Montana indebted to and bound to be paid to the Interest and Income fund of the General School fund of the State of Montana the sum of \$1,905,895.49, heretofore used from such interest and income fund of the General School fund of the State of Montana in paying salaries and	

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166	A Bill for an Act entitled: "An Act to amend Section 1760 of the Revised Codes of Montana of 1921 as amended by Chapter 107 of the 1923 Session Laws of Montana, relating to the registration fees for motor vehicles and the disposition thereof, and repealing all Acts and parts of Acts in conflict herewith." .....	396.
167	A Bill for an Act entitled: "An Act requiring railroad station agents to report to the Secretary of State receipt of carload shipment of gasoline, distillate, or kerosene; requiring the consignee of carload lots of gasoline, distillate, or kerosene to take and send samples thereof to the State Chemist; fixing penalties for the violation of this Act, and repealing Section 4195 of the Revised Codes of Montana of 1921." .....	396.

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169	A Bill for an Act entitled: "An Act to amend Section 933, Chapter 75, of the Revised Codes of Montana, 1921, relating to the official staff of the superintendent of public instruction." .....	396, 511, 534, 553.
170	A Bill for an Act entitled: "An Act to amend Section 3384 of the Revised Codes of Montana of 1921, relating to the creation of herd districts." .....	396.
171	A Bill for an Act entitled: "An Act to amend Section 48, Revised Codes of Montana, 1921, relating to the division of the State into two Congressional districts and fixing the counties in each district." ..	396.
172	A Bill for an Act entitled: "An Act to amend Sections 9, 32, 34, 35, 37, 40, 41, 48, 82, 90, 96, 97, 98, 99, 103, 105, 106, 126, 127, 129 and 130 of Chapter 160 of the Laws of the Eighteenth Legislative Assembly of the State of Montana, Session Laws of 1923, relating to the consolidation and merging of the corporate existence and government of the County of Silver Bow and all cities and towns therein into one municipal corporation and government, the said amendments providing for the elections of the city and county attorney or director of law, the sheriff or head of the department of police, and the assessor, fixing the salaries of the commission and other elective officers, regulating elections to be held in such consolidated municipality and establishing an electoral board, changing the qualifications of the police judge, providing for the appraisement of the property of the cities and towns merged under this Act and fixing the status of their indebtedness at and after such merger." .....	396, 511, 534, 542, 543, 552.
173	A Bill for an Act entitled: "An Act to amend Section 6355 of the Revised Codes of Montana, 1921, relating to the organization of building and loan associations, and placing same under the control of the State Examiner and ex-officio superintendent of banks." .....	397, 511, 534, 549, 590.
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179	A Bill for an Act entitled: "An Act to amend Section 6059 of the Revised Codes of Montana of 1921, relating to the limitation on loans." .....	397.
180	A Bill for an Act entitled: "An Act to amend Sections 4394, 4395 and 4396 relating to the duties of County Commissioners when findings justify new counties; divisions in townships, road and school districts; change of boundaries of election precincts; election for the creation of the new county and selection of the county seat; canvass of the votes of such election; measures to be taken after election; appointment, qualifications, duties, compensation and terms of the officers of the new county; attaching said new county to a judicial district; and the result of an adverse vote on the creation of such new county." .....	397, 511, 534, 582.
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	Act, and all other teachers who may be employed to teach in the State after September 1, 1925, such insurance to be provided by contract to be let upon competitive bids by the Teachers' Retirement Salary fund board through contract with life insurance companies authorized to do business in Montana upon the legal reserve plan, providing for the deduction of certain percentage of such teachers' salaries and the use of the funds so deducted for the procuring of such insurance and prescribing the terms of such insurance, and providing for endowment at age sixty (60) for all such teachers payable on an annuity plan, and providing for certain death benefits for such teachers, and providing for the transfer to teachers who shall withdraw from the public schools of their interests in such insurance, and providing for the enforcement and administration of this Act by the Teachers' Retirement Salary fund board and for a system of compulsory insurance for public school teachers in lieu of annuities now provided under the provisions of the Teachers' Retirement Salary Fund Law of this state." .....	397.
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183	A Bill for an Act entitled: "An Act fixing bounties upon certain predatory animals; prescribing the manner in which said bounties shall be paid; appointing bounty inspectors, prescribing the form of affidavit for bounty claim; creating a state bounty fund; providing for the disposition of surplus funds; declaring the false making, altering, figuring or counterfeiting of any certificate or claim or order to be forgery and providing a penalty therefor; authorizing the tax commission or the department of state whose duty it is to fix tax levies annually, to prescribe a levy against livestock; providing for the powers and duties of the Livestock Commission relative to the provisions of this Act; making other violations of this Act a misdemeanor and providing a penalty therefor." .....	511, 535, 551, 592, 609, 645.

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184	A Bill for an Act entitled: "An Act to authorize the district courts of the state, under certain conditions, to order sale or other disposition, or mortgage or lease of property, real or personal, held in trust by written instrument, upon application to the court by the trustee, or any beneficiary; and providing procedure therefor, and to permit the trustee to lease the property without order of court under certain terms and conditions.".....	500, 511, 535, 566, 594, 609, 645.
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3	A memorial to the Congress of the United States relating to freight rates for long and short hauls by railroads, and praying Congress to give earnest consideration to Senate Bill No. 2327, known as Gooding Bill. ....	56, 153, 649.
4	Requesting Montana Representatives in Congress to support and work for the passage of Senate Bill No. 2424 by Phipps. ....	115, 135, 186, 187, 196, 227, 277, 381, 410, 416, 420, 456, 558.
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7	Providing for the appointment of a committee to investigate and recommend to the 20th Legislative Assembly the manner in which the services rendered the State of Montana by the Lewis and Clarke Expedition should be commemorated. ....	272, 307, 354, 370, 371, 407, 427, 458, 500, 554, 568, 611.



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8	Providing for and allowing Wilsie M. Cramer to sue the State of Montana for certain moneys claimed to be due him. ....	313, 376, 406, 443, 473, 489, 539, 576.
9	Relating to reimbursement of State Land Grant and Income Investment Funds for moneys unlawfully taken therefrom for expenses of State Land Office, etc. ....	334, 377, 416, 474, 485, 539, 541.
10	Designating Tax Commission of Montana and State Forester as a commission to investigate and report on a policy of timber assessment for Montana. ....	350, 404, 443, 473, 489, 490, 539, 558, 569, 571.
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4	A memorial to the Congress of the United States relative to serious need of funds for support of Public Schools located in sections of the State where large tracts of Indian lands are exempt from taxation, etc. ....	243, 306, 370, 371, 407, 427, 458, 571, 589, 620, 631.
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2	A memorial to members of the Tariff Commission of the United States opposing reduction in rates of duty on linseed oil and flax. ....	88, 104, 117, 124, 129, 131, 132, 133, 202.

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4	Asking Congress to accelerate the passage of the Gooding bill (Senate 2327, 68th Congress, first session) to prohibit railroads from charging a higher rate for a shorter than a longer haul, etc....	157.
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9	Relating to the four divisions of the Blackfeet Irrigation project—the Medicine, Badger-Fisher, Birch Creek and Piegan—and asking members of Congress from Montana to use best efforts to secure appropriations for same. ....	382, 457, 474, 475, 571, 572, 594, 605, 645.
10	Relating to "Pacific Northwest Commercial and Industrial Exposition", and giving endorsement to same. ....	382, 476, 497, 509, 545, 656, 666, 668, 679.
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2	Expressing sympathy on death of former Governor, Edwin L. Norris. ....	No. record.
3	Requiring State Board of Examiners to submit full statement of all claims presented to said Board for allowance, and for which the Legislature must appropriate money for. ....	68, 85.
4	Providing for appointment of a Committee of three members to examine pass books and accounts of all state moneys kept by all state officers. ....	No. record.
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9	Relating to moneys belonging to the State of Montana, and deposited in Banks by various officers and employees of the State in the form of fee accounts, revolving funds, collection accounts and special accounts, and providing for direct deposit of the same with the State Treasurer. ....	No. record.
10	Providing for employment of certain employees of the Senate following the adjournment of the Legislature. ....	No. record.
11	Extending congratulations to the President and Vice-President of the United States upon their inauguration and induction into office. ....	No. record.







# HOUSE JOURNAL

OF THE

## NINETEENTH LEGISLATIVE ASSEMBLY

OF THE

### STATE OF MONTANA

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#### FIRST DAY

House of Representatives,  
Helena, Montana, January 5, 1925.

Pursuant to law, at the hour of 12:00 Noon, the House of Representatives of the Nineteenth Legislative Assembly of the State of Montana was called to order by the Honorable C. T. Stewart, Secretary of State, of the State of Montana.

At the request of the Secretary of State, the Reverend John Chirgwin of Lewis and Clark County, offered an invocation.

The Secretary of State then temporarily appointed the following:

H. J. Faust, of Granite County—Chief Clerk.

G. W. Deniger, of Cascade County—Journal Clerk.

George W. Graff, of Yellowstone County—Sergeant-at-Arms.

The roll was called and all members were found to be present and presented their certificates of election.

Whereupon the Secretary of State introduced the Honorable W. L. Holloway, Associate Justice, who administered the following oath of office to the members present:

"We, the undersigned, do solemnly swear (or affirm) that we will support, protect, and defend the Constitution of the United States and the Constitution of the State of Montana, and that we will discharge the duties of our office (member of the House of Representatives, Nineteenth Session) with fidelity; and that we have not paid or contributed, or promised to pay or contribute, either directly or indirectly, any money or other valuable thing to procure our nomination or election (or appointment), except necessary and proper expenses expressly authorized by law; that we have not knowingly violated any election law of this state, or procured it to be done by others in our behalf; that we will not knowingly receive, directly or indirectly, any money or other valuable thing for the performance or non-performance of any act or duty pertaining to our office other than the compensation allowed by law. So help me God."

The foregoing oath was subscribed and sworn to by the following members:

Akofer, Chas. A.; Ainsworth, A. S.; Anderson, Parker T.; Andrus, W. W.; Beadle, M. Kerr; Bergstrom, Theo. R.; Berryman, John J.; Be-

sancon, Albert; Brandt, N. J.; Bricker, R. C.; Budas, Albert; Burns, Harry L.; Caplis, John J.; Campbell, John L.; Castles, William; Clarke, W. E.; Cusick, W. M.; Davis, Glenn T.; Dellwo, Dennis A.; Donaldson, Harry C.; Doran, Tod; Duncan, Houghton A.; Eaton, Ernest T.; Fairgrieve, Alex.; Fletcher, Samuel O.; Flynn, W. P.; Flachsenhar, W. R.; Fitzgarrauld, Mark D.; Fitzgerald, James T.; Fox, Thomas; Graybill, F. L.; Gordon, Fred E.; Green, H. R.; Harris, Orville; Hardcastle, Ernest A.; Hanson, Fred; Hawley, Herb C.; Hedrick, E. O.; Higham, J. O.; Holton, Albert; Hoffman, Joseph; Holt, C. F.; Joffray, E. N.; Johnson, Albert; Johnson, Elmer; Kelly, Peter J.; Keeley, W. E.; Kennedy, J. D.; Kinville, Sam.; Larson, Robt.; Larsen, A. T.; Larson, Dr. E. M.; Leavens, Robert; Lemmon, C. A.; Lincoln, T. E.; Loble, Lester H.; Master, H. S.; Meagher, T. A.; Merritt, Clarence; Miller, Timothy; Morris, David C.; Moss, G. M.; Moriarity, J. J.; Moulton, B. F.; Murphy, C. F.; Mulholland, M. J.; McAfee, J. H.; McCarty, Catherine C.; Nagle, Raymond, T.; Nelson, Ben.; Nelstead, T. E.; Patterson, Robert A.; Parkin, E. J.; Peat, W. C.; Peterson, P. A.; Plank, Leonard; Plumer, A. J.; Reed, Grant; Rice, Everett A.; Ryder, Arthur; Ruffcorn, Wm. M.; Rupert, C. A.; Sales, Allen; Schoening, Harry; Shields, Ed; Smith, David R.; Smith, Pearl I.; Steeves, M. D.; Stoddard, Si.; Strange, G. B.; Throssel, Richard; Tinsley, Bazel; Troy, T. J.; Waite, W. T.; Walker, Noble M.; Walton, John W.; Wuerthner, Julius J.; White, Arthur; Wold, Ole M.; Zeh, Fred W.

The Secretary of State, having called for nominations for Speaker, Ruffcorn nominated R. C. Bricker and Lemmon nominated Lester H. Loble. There being no other nominations the Secretary of State declared the nominations closed. The roll was called and the following votes were cast:

For Bricker: Ainsworth, Andrus, Berryman, Brandt, Budas, Burns, Campbell, Castles, Clarke, Davis, Donaldson, Duncan, Eaton, Fairgrieve, Fletcher, Flynn, Flachsenhar, Fitzgarrauld (Mark D.), Gordon, Green, Harris, Hanson, Hawley, Hedrick, Higham, Holton, Hoffman, Holt, Johnson (Albert), Johnson (Elmer), Keeley, Kennedy, Larson (Robert), Larsen (A. T.), Larson (Dr. E. M.), Leavens Loble, Masters, Merritt, Morris, Moss, Moulton, McAfee, Nelson, Nelstead, Patterson, Parkin, Peat, Reed, Rice, Ryder, Ruffcorn, Rupert, Sales, Schoening, Smith (David R.), Smith (Pearl I.), Steeves, Strange, Throssel, Troy, Waite, Walker, Walton, Wuerthner, White, Wold, Zeh. Total—68.

For Loble: Akofer, Anderson, Beadle, Bergstrom, Besancon, Bricker, Caplis, Cusick, Dellwo, Doran, Fitzgerald (James T.), Fox, Graybill, Hardcastle, Joffray, Kelly, Kinville, Lemmon, Lincoln, Meagher, Miller, Moriarity, Murphy, Mulholland, McCarty, McGrath, Nagle, Peterson, Plank, Plumer, Shields, Stoddard, Tinsley. Total—33.

The Secretary of State appointed Ruffcorn and Loble to escort Mr. Speaker to the chair.

Mr. Speaker having assumed the chair, Ruffcorn submitted the following motion, which was duly seconded and carried:

Mr. Speaker: I move that the Rules and Joint Rules and Order of Business of the Eighteenth Legislative Assembly be accepted as the Rules and Joint Rules and Order of Business of the Nineteenth Legislative Assembly until a Committee on Rules and Joint Rules and Order of Business shall report.

A committee from the Senate announced that the Senate had organized and was ready for business.

Moved by Ruffcorn, duly seconded and carried, that the following Republican nominees be elected as officers and attaches:

Speaker Pro Tem—C. F. Holt.

Floor Leader—Wm. Ruffcorn.

Chaplain—Rev. John Chirgwin.

Sergeant-at-Arms—George Graff.

Assistant Sergeant-at-Arms—C. T. Caesar.

Chief Clerk—H. J. Faust.  
Assistant Chief Clerk—C. F. Parker.  
Reading Clerk—Ralph Edgington.  
Journal Clerk—G. W. Deniger.  
Enrolling Clerk—Roy Allen.  
Engrossing Clerk—John Meeks.  
Bill Clerk—George Graham.  
Printing Clerk—Joseph Lacey.  
Doorkeepers—Wm. Welsh, J. B. Hanson.  
Pages—Dan Crowley and Charles Morris.  
Assistant Journal Clerk—Dora Billings.

Moved by Lemmon, duly seconded and carried, that the following Democratic nominees be elected as officers and attaches:

Speaker Pro Tem—F. L. Graybill.  
Chaplain—W. D. Lehr.  
Sergeant-at-Arms—Arthur Nelson.  
Assistant Sergeants-at-Arms—J. C. Graves, Linn McCracken.  
Chief Clerk—Brandon McMahon.  
Assistant Chief Clerk—Walter Olson.  
Journal Clerk—Walter W. Payne.  
Reading Clerk—E. G. Maclay.  
Engrossing Clerk—Mrs. H. L. Stafford.  
Bill Clerk—Mrs. Will Cave.  
Printing Clerk—Jud Corey.  
Doorkeepers—Jim Fitzpatrick, Henry Stenerson.  
Head Janitor—John Frederick.  
Pages—Elmer Shea, Wallace Weaver, Merlin Lincoln, Elmer Brown, Leslie Anderson.

Moved by Holt, duly seconded and carried, that the Chief Clerk be instructed to cast 68 votes for the Republican nominees and 33 votes for the Democratic nominees. The vote was so cast.

Moved by Ruffcorn, duly seconded and carried, that a committee of three be appointed to notify His Excellency the Governor that the House had organized and was ready for any message he might wish to convey.

Moved by Ruffcorn, duly seconded and carried, that a committee of three be appointed to notify the Honorable Senate that the House was duly organized and ready for business.

Moved by Ruffcorn, duly seconded and carried, that the Speaker be authorized to appoint a stenographer and page for work in connection with his office.

Mr. Speaker named the Committee on House Employes as follows:

Davis of Wibaux, chairman; Hanson of Daniels, vice chairman; Fairgrievs of Carbon, Bergstrom of Fallon, Troy of Hill.

Mr. Speaker then named the following committees:

Seating—Johnson of Fergus, Hanson of Daniels, Ruffcorn of Valley.

Rules, Joint Rules and Order of Business—Wold of Yellowstone, speaker; Hanson of Daniels, Holt of Cascade, Loble of Lewis and Clark.

To Notify Governor—McAfee of Flathead, Hedrick of Fergus, Lemmon of Deer Lodge.

To Notify Senate—Wold of Yellowstone, Moss of Flathead, Loble of Lewis and Clark.

Moved by Hanson, duly seconded and carried, that the House recess for fifteen minutes.



## HOUSE RESUMED

The House resumed at 1:05 P. M.

Mr. Speaker in the chair.

The committee appointed to notify His Excellency the Governor of organization reported that His Excellency the Governor requested that a joint session be held tomorrow, Tuesday, at 11:00 A. M., at which time he would be ready to appear and deliver his message.

The committee appointed to notify the Senate of organization reported its duty performed.

Moved by Holt, duly seconded and carried, that the House adjourn until 10:30 A. M. Tuesday, January 6th.

R. C. BRICKER, Speaker.

Attest: H. J. FAUST, Chief Clerk.

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**SECOND DAY**

House of Representatives, January 6, 1925.

House met pursuant to adjournment at 10:30 A. M.

Mr. Speaker in the chair.

Prayer by the Chaplain.

Mr. Speaker announced that if there were no objections the reading of the Journal would be dispensed with until Wednesday, January 7. There being no objections it was so ordered.

On roll call all members present except Holt of Cascade.

Mr. Speaker named the members of the following committees:

Mileage and Per Diem—Flynn of Custer, chairman; Clarke of Rosebud, A. T. Larsen of Sheridan, Graybill of Cascade, Lincoln of Flathead.

Journal—Smith of Beaverhead, chairman; Parkin of Gallatin, Nagle of Lewis and Clark.

Enrolling—McAfee of Flathead, chairman; Waite of Powder River, vice chairman; Merritt of Musselshell, Woods of Petroleum, Bergstrom of Fallon.

Engrossing—Berryman of Yellowstone, chairman; Reed of Broadwater, vice chairman; Higham of Carbon, Lincoln of Flathead, Green of Dawson.

The Chief Clerk read the following communication from the Rotary Club of Helena:

“Helena, Montana, January 6, 1925.

To the Members of the House of the Nineteenth Legislative Assembly:

The Rotary Club of Helena meets Wednesdays at 12:15 at the Placer Hotel Grill Room.

Members of the House who are Rotarians are cordially invited to attend these meetings during their stay in the city.”

**NOTICES**

By Larsen:

Mr. Speaker: I hereby give notice that I will on tomorrow or some subsequent day, introduce a bill entitled: “Bank Deposit Guarantee Law.”

At the request of Wold, there being no objections, the Speaker reverted back to Order of Business No. 5:

**INTRODUCTION OF BILLS AND MEMORIALS**

The following bill was introduced by Wold of Yellowstone, read first and second times, and referred to Appropriations Committee:

House Bill No. 1, by Wold: A Bill for an Act entitled: “An Act to appropriate money for the payment of mileage and per diem to the mem-

bers of the Nineteenth Legislative Assembly of the State of Montana and per diem to the officers and attaches of the Nineteenth Legislative Assembly of the State of Montana and for incidental expenses of the Nineteenth Legislative Assembly of the State of Montana."

Moved by Hanson, duly seconded and carried, that the Speaker revert back to Order of Business No. 4:

### REPORTS OF STANDING COMMITTEES

Mr. Hanson read the following report from the Committee on Employment:

January 5th, 1925.

Mr. Speaker: We, your Committee on Employment, recommend the appointment of the following:

Speaker's Assistants—Stenographer, Miss Helen Stamm; Page, Gordon E. Brown.

Assistant Sergeants at Arms—Mr. R. H. Wiedman, Mr. J. P. Donaldson.

Sergeant at Arms' Clerk—Mr. Albert Budas, Jr.

Chief Clerk's Stenographer—Miss Mary Moore.

Assistant Enrolling Clerk—Frances W. Rice.

Employment Committee Clerk—Mrs. Vivian E. Wirth.

Elevator Operators—Mr. Fred Mitchell, Mr. G. S. Tange.

Assistant Janitors—George Chapman, Henry Stenerson, Ed Wylie.

Appropriations Committee Secretary—Ethel Langdorf.

General Stenographers—Mrs. Ada Renshaw, Miss Clara Flynn, Miss Laura Winkler, Mr. E. Michaelson, Mr. Raymond Hayes, Miss Beulah Dittmer, Miss Alice Chisholm.

Night Watchman—Fred Wolterman.

Pages—Sterling De Pratu, Robert McAllister.

DAVIS, Chairman, Committee on Employment.

Moved by Davis, duly seconded and carried, that this report be adopted.

Sergeant at Arms appeared and announced that the Senate was ready to convene in joint session.

A committee from the Senate reported that the Honorable Senate was ready to appear to hear the message from the Governor.

Moved by Ruffcorn, duly seconded and carried, that House recess until called to order by the Speaker.

House resumed at 10:55 A. M.

Mr. Speaker in the chair.

Committee appointed on January 5 to notify Senate of organization reported that the Senate was ready to hear the Governor's message.

The Speaker instructed the Sergeant at Arms to notify the Senate that the House was awaiting its presence and to invite the members of the Senate to be seated with the members of the House. The members of the Senate then appeared and occupied seats accordingly.

The Speaker announced that the Lieutenant Governor, W. S. McCormack, presiding officer of the Senate, would preside over the joint session.

The Secretary of the Senate called the roll of the Senate and the Chief Clerk of the House called the roll of the House. A quorum of both Houses being present, the joint session convened.

Moved by Ruffcorn of Valley County, duly seconded and carried, that a committee be appointed to consist of two Senators and two Representatives to notify His Excellency the Governor that the members of the

Senate and the House were in joint session and ready to hear his message. The Lieutenant Governor appointed:

Senator Hazelbaker, Senator Duncan, Representative Bricker, Representative Loble.

Lieutenant Governor announced that His Excellency the Governor was ready to appear and deliver his message.

His Excellency Governor Erickson then appeared and on being escorted to the Chief Clerk's desk, was introduced by Lieutenant Governor McCormack, and then delivered his message to the members of the Senate and House in joint session assembled.

Lieutenant Governor appointed Senators McCone and Peterson to escort His Excellency the Governor to his chambers.

Moved by Ruffcorn, duly seconded and carried, that 1,000 copies of the Governor's message be printed for distribution.

Moved by Senator Hazelbaker, duly seconded and carried, that the Joint Assembly be dissolved and that the members of the Senate retire from the hall of the House.

Mr. Speaker announced the following members of the Appropriations Committee:

Wold of Yellowstone, chairman; Reed of Broadwater, vice chairman; Parkin of Gallatin, McAfee of Flathead, Hawley of Wheatland, Donaldson of Chouteau, Smith of Beaverhead, Troy of Hill, Johnson of Fergus, Caplis of Silver Bow, Duncan of Cascade, Lemmon of Deer Lodge, Loble of Lewis and Clark, Larsen (A. T.) of Sheridan, Tinsley of Madison.

Moved by Ruffcorn, duly seconded and carried, that the House adjourn until 11:00 A. M., Wednesday, January 7.

R. C. BRICKER, Speaker.

Attest: H. J. FAUST, Chief Clerk.

### THIRD DAY

House of Representatives,

Helena, Montana, January 7, 1925.

House met pursuant to adjournment at 11:00 A. M.

Mr. Speaker in the chair.

Invocation by the Chaplain.

On roll call all members were found to be present.

Moved by Loble, duly seconded and carried, that the reading of the Journal be dispensed with.

### COMMUNICATIONS AND PETITIONS COMMUNICATIONS FROM THE SENATE

January 5th, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate was duly organized on the 5th day of January, 1925, by the election of Senator F. A. Hazelbaker as President Pro Tem and the election of the following officers and attaches:

Secretary of Senate—J. F. Cone.

Sergeant at Arms—John Allen.

Chaplain—Rev. Hosking.

The following committees were named:

Committee on Committees—Dowlin, Pauline, Conser.

Committee on Employees—Henderson, Griffin, Oliver.

Committee on Seating—Rhodes, Greenup, Peck.

Respectfully yours,

J. F. CONE, Secretary of Senate.



January 5, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that on motion of Senator Hazelbaker, duly seconded and carried, the rules of the Eighteenth Legislative Assembly were adopted as temporary rules of the Senate until the report of the Committee on Rules shall be adopted.

Respectfully,

J. F. CONE, Secretary of Senate.

### OTHER COMMUNICATIONS

Winnett, Montana, Saturday, January 3rd, 1925.

To the Members of the House of Representatives, Helena, Montana.

Gentlemen: When the County of Petroleum was created at the last general election I was elected as its representative. The county division law under which our county was created states that the commissioners of the new county will take their seats immediately and that all other officers will commence their duties ninety days later. In my case that would be February 22. On reading some opinions by a past Attorney General, I am led to believe that the members of the House or the Senate are their own judge of the election. May I ask that you notify me as to when I am expected to commence my duties.

Respectfully,

R. J. WOODS.

Above communication from R. J. Woods referred to Judiciary Committee.

Clerk requested that all members of the House please hand their Helena addresses to the Sergeant-at-Arms.

### NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce bills as follows:

By Albert Besancon: A Bill for an Act entitled: "An Act for the Submission to the Qualified Electors of the State of Montana of an Amendment to Section 13 of Article XII of the Constitution of the State of Montana as Amended: Relating to the Preparation, Verification and Filing of the Quarterly Report of the State Treasurer, and Eliminating that Portion of said Section which Requires the Publication of said Report."

By Albert Besancon: A Bill for an Act entitled: "An Act Relating to the Preparation and Publication of the State Treasurer's Quarterly Report, Advertising for Bids for the Publication Thereof, Letting of Contract Therefor, Duties of the Governor and Repeal Section 187 of the Montana Revised Codes of 1921."

By Besancon: A Bill for an Act entitled: "An Act to Amend Section 6079 of the Montana Revised Codes of 1921, Relating to the Appointment of Receiver for Insolvent Bank."

By Besancon: A Bill for an Act entitled: "An Act Prescribing Penalties for Bank Examiners or Other Persons Whose Duty It Is to Examine Banks and Other Institutions, Who Have Knowledge of Their Being Unsafe and Failing or Neglecting to Report the Same."

By Besancon: A Bill for an Act entitled: "An Act to Amend Chapter 93 of the Laws of Montana Legislative Assembly of 1923, which Amended Sections 217 and 221 of the Revised Codes of Montana, 1921, Relating to the Fees of the State Examiner."

By Flachsenhar: A Bill for an Act entitled: "An Act Amending Section 1 of Chapter 133 of the Laws of 1923 Montana, Relating to the Arrangement of Names on Ballots at Primary Elections."

By Nagle: A Bill for an Act entitled: "An Act to Amend Section 10, 178 of the Revised Codes of Montana 1921, Relating to the Time Within

Which Actions Must Be Commenced on Claims Against an Estate Rejected by the Executor or Administrator."

By Fox and Parkin: A Bill for an Act entitled: "An Act to amend Section 3202 of the Revised Codes of Montana of 1921, Providing Penalties for the Possession, Control, Sale, Bartering, Exchange, Distribution or Disposition of Certain Narcotic Drugs Contrary to the Provisions of Sections 3189 to 3201, inclusive, of the Revised Codes of Montana of 1921."

By Beadle: A Bill for an Act entitled: "An Act to Amend Section 9256 of the Revised Codes of Montana of 1921 Relating to Writs of Attachment and When Attachments May Issue and Repealing All Acts and Parts of Acts in Conflict Herewith."

By Beadle: A Bill for an Act entitled: "An Act Providing for the Examination of an Adverse Party in Civil Actions or Proceedings, including the Officers and Agents of a Corporation Party to an Action on Proceedings; Regulating the Manner of Such Examination and Effect thereof and providing for a Repeal of all Acts or Parts of Acts in Conflict herewith."

By Beadle: A Bill for an Act entitled: "An Act to amend Section 8114 of the Revised Codes of Montana of 1921, relating to the Transfer of Insured Property, and providing that the Transfer of such Property Transfers the Policy of Insurance, and to Repeal Section 8113 of the Revised Codes of Montana of 1921."

By Beadle: A Bill for an Act entitled: "An Act regulating the Fiscal Management of, fixing the fiscal year for, and controlling and regulating the Raising of Revenue and the Expenditure thereof during each Fiscal Year by all Counties, Cities, Towns and Consolidated Cities and Counties, and their Institutions and Agencies; requiring the making and filing of Estimates of Probable Revenues from all Sources and proposed Expenditures for all Purposes during each fiscal year; providing for the Making and Filing of provisional Budgets, for the Publication thereof, for public Hearings thereon and for the Approval and Adoption of annual Budgets of Expenditures to be made for all Purposes during each fiscal Year; prescribing the Manner of paying Claims filed after the Expiration of the fiscal Year; providing for the Raising of Revenue, in addition to budget Estimates and Appropriations, by Taxation; providing for the payment of warrant Indebtedness outstanding at the Close of the fiscal Year ending June 30th, 1923; providing Penalties for the Violation of Provisions of this Act; and repealing Sections 224, 225, 226, 227, 228, 229, 230, 4631, 5217, and 5218 of the Revised Codes of Montana, 1921."

By McCarty, a Bill for an Act entitled: "An Act to amend Section 11239 of the Revised Codes of Montana of 1921, relating to the selling of opium, morphine and other narcotic drugs and providing a penalty for the violation thereof."

By Loble, as follows: Mr. Speaker: I hereby give notice that I will on tomorrow and every subsequent day of this session introduce a bill to repeal a law of the State of Montana:

By Loble, as follows: Mr. Speaker: You will please take notice that I will on tomorrow or some subsequent day, introduce a Bill for an Act entitled: "An Act to repeal Section 11527 of the Revised Codes of Montana, 1921, relating to insulting school teachers."

## REPORTS OF STANDING COMMITTEES

Committee on House Employment reported as follows:

January 7, 1925.

Mr. Speaker: We, your Committee on Employment, recommend the appointment of the following:

Assistant Bill Clerk—Miss Minnie Bowers.

Assistant to Printing Clerk as Proofreader—Beulah E. Dittmer (transfer from "General Stenographers" as reported January 5).

Assistant Postmaster—Mr. A. E. Banks.

General Stenographers—Mrs. Helen Severtson, Miss Genevieve Mc-

Mann, Sarah Peachey, Miss Mary Morgan, Miss Irene Hober, Mrs. Simons, Miss Georgia McCormack, Miss Amy Erb, Miss Edith Briscoe, Miss Edna E. Gillies.

DAVIS, Chairman.

Moved by Davis, seconded and carried, that the report of the Committee on Employment be adopted.

Committee on Appropriations reported on House Bill No. 1 as follows:  
January 4, 1925.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 1, by Wold: A Bill for an Act entitled: "An Act to appropriate money for the payment of mileage and per diem to the members of the Nineteenth Legislative Assembly of the State of Montana and per diem to the officers and attaches of the Nineteenth Legislative Assembly of the State of Montana and for incidental expenses of the Nineteenth Legislative Assembly of the State of Montana," respectfully report as follows: That House Bill No. 1 do pass.

WOLD of Yellowstone, Chairman.

Moved by Wold, duly seconded and carried, that the report from the Appropriations Committee be adopted as read.

## INTRODUCTION OF BILLS AND MEMORIALS

The following bills was introduced, read first and second times by title only and referred to Banking Committee:

House Bill No. 2, introduced by A. T. Larsen: A Bill for an Act entitled: "An Act providing for the security of deposits in the banks organized or existing under the laws of Montana, creating the Bank Depositors' Guaranty Fund of Montana, and providing regulations therefor, and penalties for violation thereof, and to be known as the 'Bank Depositors' Guarantee Law.'"

## MOTIONS AND RESOLUTIONS

Moved by Wold, duly seconded and carried, that House Bill No. 1 be considered printed, properly engrossed and passed for the consideration of committee.

House Joint Resolution No. 1, introduced by Ruffcorn, Hansen, Wold, Johnson, was read first and second times and referred to Committee on Labor:

"A resolution ratifying an amendment to the Constitution of the United States granting to the Congress of the United States the power to limit, regulate and prohibit the labor of persons under eighteen years of age."

Moved by Ruffcorn, duly seconded and carried, that the names of Loble, McCarty, Walton and Beadle be attached to the above resolution.

House Resolution No. 1, introduced by Ruffcorn, Loble and Journal Committee, was read first and second times and referred to the Appropriations Committee:

"A resolution to provide for a daily synopsis of the House Proceedings and status of bills."

Moved by Ruffcorn, duly seconded and carried, that the Speaker be granted the privilege of increasing the number of the Appropriations Committee from 15 to 17 members.

Moved by Wold, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders.

## CONSIDERATION OF GENERAL ORDERS

Mr. Hanson takes the chair.

Title and history of House Bill No. 1 read by Chief Clerk.



Moved by Wold, duly seconded and carried, that when the Committee arises to report back to House that the report be accepted.

Committee arose.

Mr. Speaker in the chair.

The Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bill No. 1, respectfully report as follows: That House Bill No. 1 do pass.

Moved by Loble, duly seconded and carried, that the report be adopted.

Moved by Wold, duly seconded and carried, to revert back to Order of Business No. 9.

### THIRD READING OF HOUSE BILLS

House Bill No. 1, having been read three several times, and title and history agreed upon, was passed by the following vote:

Ayes: Akofer, Ainsworth, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Caplis, Campbell, Castles, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fletcher, Flynn, Flachsenhar, Fitzgarrald, Fitzgerald, Fox, Graybill, Gordon, Green, Harris, Hardcastle, Hanson, Hawley, Hedrick, Higham, Houghton, Hoffman, Joffray, Johnson (Albert), Johnson (Elmer), Kelly, Keeley, Kennedy, Kinville, Larson (Robert), Larsen (A. T.), Larson (Dr. E. M.), Leavens, Lemmon, Lincoln, Loble, Masters, Meagher, Merritt, Miller, Morris, Moss, Moriarity, Moulton, Murphy, Mulholland, McAfee, McCarty, McGrath, Nagle, Nelson, Nelstead, Patterson, Parkin, Peat, Peterson, Plank, Plumer, Reed, Rice, Ryder, Ruffcorn, Rupert, Sales, Schoening, Shields, Smith (David R.), Smith (Pearl I.), Steeves, Stoddard, Wuerthner, Strange, Throssel, Tinsley, Troy, Waite, Walker, Walton, White, Wold, Zeh. Total—100.

Noes: None.

Absent and not voting: Holt. Total—1.

Mr. Speaker named additional members of Appropriations Committee as follows: Peat, Anderson.

Mr. Speaker named the following committees:

Printing—Zeh, chairman; Moss, White, Nelstead, Akofer, Stoddard, Plank.

Labor—Fairgrieve, chairman; Zeh, Castles, Eaton, Masters, Merritt, Patterson, Clarke, White, Beadle, Joffray, Lincoln, Mulholland, Shields, Larson (Robert).

State Lands—Holton, chairman; Davis, Brandt, Fletcher, Hoffman, Nelstead, Ryder, Waite, Flachsenhar, Plank, Moriarity, Anderson, Akofer, Besancon Larson (Robert).

Banks and Banking—Johnson (Albert), chairman; Leavens, Fitzgarrald, Flachsenhar, Green, Higham, Ruffcorn, Wold, Waite, Hedrick, Dellwo, Miller, Mulholland, Loble, Plumer.

Moved by Ruffcorn, duly seconded and carried, that there be a short recess in order that a photograph might be taken of the members of House and attaches on the front steps of the Capitol.

### HOUSE RESUMED

There being no objections the House reverted to Order of Business No. 6:

### MOTIONS AND RESOLUTIONS

Moved by Ruffcorn, duly seconded and carried, that the Speaker be allowed to withdraw the appointment of the Banks and Banking Committee for the purpose of further consideration.

Moved by Ruffcorn, duly seconded and carried, that the House adjourn until 10:30 A. M. Thursday.

R. C. BRICKER, Speaker.

Attest: H. J. FAUST, Chief Clerk.

## FOURTH DAY

House of Representatives,  
Helena, Montana, January 8, 1925.

House met pursuant to adjournment at 10:30 A. M.

Mr. Speaker in the chair.

Prayer by the Chaplain.

On roll call all members present.

Journal Committee reported that the Journal for the first three days had been inspected and recommended that the Journal be considered read and accepted.

## COMMUNICATIONS AND PETITIONS

January 7, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 1, introduced by Wold, was read first and second times and referred to the Committee on Finance and Claims.

Respectfully,

J. F. CONE, Secretary of the Senate.

January 7, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Committees reported the appointment of the following Standing Committees of the Senate:

Rules—Hazelbaker, chairman; Paul, Duncan.

Printing—Taylor, chairman; Watson, Dell.

Respectfully,

J. F. CONE, Secretary of the Senate.

## NOTICES

Authors gave notice that they will on tomorrow or some subsequent day introduce bills as follows:

By Flachsenhar: A Bill for an Act entitled: "An Act amending Sections 553, 554, 567, 568, 640, 651 and 652 of the Revised Codes of Montana, 1921, and as amended by Chapter 133 of the Laws of 1923, Montana, relating to the registration of electors and matters relating to primary elections."

By Mulholland: A Bill for an Act entitled: "An Act for the purpose of permitting other than attending students at high schools of the State of Montana to the examinations on the subjects taught in said schools, and giving the proper credit therefor."

By Keeley: by Loble; A Bill for an Act entitled: "An Act to repeal Section 11520 of the Revised Codes of Montana 1921, relating to harboring and concealing apprentices and other persons bound or held to service or labor."

By Zeh; A Bill for an Act entitled: "An Act to amend Section 210 of the Revised Codes of Montana of 1921, as amended by Chapter 78 of the Montana Session Laws of 1923, prescribing the duties of the State Examiner and his assistants."

By Ainsworth: A Bill for an Act entitled: "An Act to amend Chapter 26 of the Revised Civil Code of Montana of 1921 by adding thereto two new sections to be known as Section 7102A, relating to abandonment of water

by failure to use, and Section 7102B, relating to abandonment of surplus water sold; and repealing all Acts and parts of Acts in conflict herewith."

By Ainsworth: A Bill for an Act entitled: "An Act relating to the operation of motor vehicles and providing for speed limits, precautions for safety of motor vehicles, rights of others, age of applicant for registration certificate and age of person who may operate a motor vehicle, manner of operating, revocation of registration certificate, operating after revocation of such certificate, arrest and punishment of persons violating this Act, court records of such cases and repealing all Acts and parts of Acts in conflict herewith."

### REPORT OF STANDING COMMITTEES

January 8, 1925.

Mr. Speaker: We, your Committee on Employment, recommend the appointment of the following:

Miss Bessie Johnston, stenographer; Miss Amelia Scherrer, stenographer; Miss June Snow, stenographer; Miss Marian Aho, stenographer.

DAVIS, Chairman.

Moved by Davis, duly seconded and carried, that the report be adopted.

Mr. Speaker: We, your Committee on Mileage and Per Diem, beg leave to submit the following report, indicating the number of miles traveled by the following members of the House and the sums due them therefor:

Name	City	Miles	Amount
Akofer, Chas. A.,	Valier .....	376 @ 10	\$ 37.60
Ainsworth, A. S.,	Thompson Falls .....	440 @ 10	44.00
Anderson, Parker T.,	Twete .....	578 @ 10	57.80
Andrus, W. W.,	Miles City .....	770 @ 10	77.00
Beadle, M. Kerr,	Butte .....	146 @ 10	14.60
Bergstrom, Theo. R.,	Willard .....	1,008 @ 10	100.80
Berryman, John J.,	Billings .....	478 @ 10	47.80
Besancon, Albert,	Missoula .....	240 @ 10	24.00
Brandt, N. J.,	Whitewater .....	722 @ 10	72.20
Bricker, R. C.,	Windham .....	350 @ 10	35.00
Budas, Albert,	Roberts .....	510 @ 10	51.00
Burns, Harry L.,	Harlem .....	528 @ 10	52.80
Caplis, John J.,	Butte .....	146 @ 10	14.60
Campbell, John L.,	Missoula .....	240 @ 10	24.00
Castles, William,	Superior .....	364 @ 10	36.40
Clarke, W. E.,	Forsyth .....	680 @ 10	68.00
Cusick, W. M.,	Kalispell .....	721 @ 10	72.10
Davis, Glenn T.,	Carlyle .....	1,050 @ 10	105.00
Dellwo, Dennis A.,	Charlo .....	356 @ 10	35.60
Donaldson, Harry C.,	Fort Benton .....	278 @ 10	27.80
Doran, Tod,	Butte .....	146 @ 10	14.60
Duncan, Houghton A.,	Great Falls .....	198 @ 10	19.80
Eaton, Ernest T.,	Polytechnic .....	478 @ 10	47.80
Fairgrieve, Alex,	Washoe .....	543 @ 10	54.30
Fletcher, Samuel O.,	Ryegate .....	385 @ 10	38.50
Flynn, W. P.,	Miles City .....	770 @ 10	77.00
Flachsenhar, W. R.,	Terry .....	850 @ 10	85.00
Fitzgarrauld, Mark D.,	Stevensville .....	300 @ 10	30.00
Fitzgerald, James T.,	Butte .....	146 @ 10	14.60
Fox, Thos.,	Butte .....	146 @ 10	14.60
Graybill, F. L.,	Great Falls .....	198 @ 10	19.80
Gordon, Fred E.,	Hardin .....	585 @ 10	58.50
Green, H. R.,	Lindsay .....	1,058 @ 10	105.80
Harris, Orville,	White Sulphur Springs .....	258 @ 10	25.80
Hardcastle, Ernest A.,	Butte .....	146 @ 10	14.60



Hanson, Fred, Flaxville .....	1,182 @ 10	118.20
Hawley, Herb C., Harlowton .....	296 @ 10	29.60
Hedrick, E. O., Moore .....	384 @ 10	38.40
Higham, J. O., Belfry .....	508 @ 10	50.80
Holton, Albert, Cohagen .....	902 @ 10	90.20
Hoffman, Joseph, Reed .....	362 @ 10	36.20
Holt, C. F., Great Falls .....	198 @ 10	19.80
Joffray, E. M., Clancy .....	28 @ 10	2.80
Johnson, Albert, Denton .....	404 @ 10	40.40
Johnson, Elmer, Glasgow .....	748 @ 10	74.80
Kelly, Peter J., Butte .....	146 @ 10	14.60
Keeley, W. E., Deer Lodge .....	124 @ 10	12.40
Kennedy, J. D., Philipsburg .....	190 @ 10	19.00
Kinville, Sam, Butte .....	146 @ 10	14.60
Larson, Robt., Dagmar .....	1,078 @ 10	107.80
Larsen, A. T., Plentywood .....	1,084 @ 10	108.40
Larson, Dr. E. M., Great Falls .....	198 @ 10	19.80
Leavens, Robt., Billings .....	478 @ 10	47.80
Lemmon, C. A., Anaconda .....	198 @ 10	19.80
Lincoln, T. E., Kalispell .....	716 @ 10	71.60
Masters, H. S., Livingston .....	246 @ 10	24.60
Meagher, T. A., Choteau .....	316 @ 10	31.60
Merritt, Clarence, Roundup .....	440 @ 10	44.00
Miller, Timothy, Libby .....	932 @ 10	93.20
Morris, David C., Fort Benton .....	286 @ 10	28.60
Moss, G. M., Whitefish .....	706 @ 10	70.60
Moriarty, J. J., Circle .....	1,046 @ 10	104.60
Moulton, F. B., Grass Range .....	494 @ 10	49.40
Murphy, C. F., Anaconda .....	198 @ 10	19.80
Mulholland, M. J., Butte .....	146 @ 10	14.60
McAfee, J. H., Kalispell .....	721 @ 10	72.10
McCarty, Mrs. Katherine, Glendive .....	926 @ 10	92.60
McGrath, Leo J., Butte .....	146 @ 10	14.60
Nelson, Ben, Malta .....	618 @ 10	61.80
Nelstead, T. E., Ekalaka .....	1,062 @ 10	106.20
Patterson, Robt. A., Havre .....	444 @ 10	44.40
Parkin, E. K., Bozeman .....	196 @ 10	19.60
Peat, W. C., Missoula .....	240 @ 10	24.00
Peterson, P. A., Browning .....	516 @ 10	51.60
Plank, Leonard, Chester .....	502 @ 10	50.20
Plumer, A. J., Hysham .....	656 @ 10	65.60
Reed, Grant, Townsend .....	66 @ 10	6.60
Rice, Everett A., Shelby .....	400 @ 10	40.00
Ryder, Arthur, Froid .....	1,024 @ 10	102.40
Ruffcorn, Wm. M., Glasgow .....	748 @ 10	74.80
Rupert, C. A., Melville .....	364 @ 10	36.40
Sales, Allen, Bozeman .....	196 @ 10	19.60
Schoening, Harry, Wolf Point .....	846 @ 10	84.60
Shields, Ed., Great Falls .....	198 @ 10	19.80
Smith, Pearl I., Dillon .....	284 @ 10	28.40
Steeves, M. D., Livingston .....	246 @ 10	24.60
Stoddard, Si, Anaconda .....	198 @ 10	19.80
Strange, G. B., Stevensville .....	300 @ 10	30.00
Throssel, Richard, Billings .....	478 @ 10	47.80
Tinsley, Bazal, Pony .....	218 @ 10	21.80
Troy, T. J., Havre .....	444 @ 10	44.40
Waite, W. T., Broadus .....	944 @ 10	94.40
Walker, Noble M., Lewistown .....	422 @ 10	42.20
Walton, John W., Belgrade .....	178 @ 10	17.80
Wuerthner, Julius J., Great Falls .....	198 @ 10	19.80
White, Arthur, Savage .....	996 @ 10	99.60
Wold, Ole M., Laurel .....	446 @ 10	44.60

Zeh, Fred W., Missoula .....	240 @ 10	24.00
Total .....		\$4,582.90

Respectfully submitted,

WILLIAM P. FLYNN,  
A. T. LARSEN,  
W. E. CLARKE,  
T. E. LINCOLN,  
F. L. GRAYBILL.

January 8, 1925.

We, the undersigned, hereby certify that the above and foregoing is a true and correct copy of the roll of the membership of the House of Representatives of the Nineteenth Assembly, and the amount which they are severally entitled to for the number of miles traveled by the members of the House as reported by the Committee on Mileage.

Signed: R. C. BRICKER,  
Speaker of the House of Representatives.

Signed: GEORGE W. GRAFF,  
Sergeant at Arms of the House of Representatives.

Signed: H. J. FAUST,  
Chief Clerk of the House of Representatives.

Moved by Larsen (A. T.), duly seconded and carried, that the report be considered as read at length and so shown on Journal.

Moved by Larsen (A. T.), duly seconded and carried, that the report be adopted.

Report of Committee on Appropriations:

January 8th, 1925.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration Resolution No. 1, introduced by Ruffcorn, Loble and the Journal Committee, a resolution to provide for a daily synopsis of the House proceedings and status of bills, respectfully report as follows: That Resolution No. 1 do pass.

WOLD of Yellowstone, Chairman.

Moved by Wold, duly seconded and carried, that the report of the Committee on Appropriations be adopted.

## INTRODUCTION OF BILLS AND MEMORIALS

The following bills were introduced, read first and second times by title only and referred to committees as follows:

H. B. No. 3, by Besancon: A Bill for an Act entitled: "An Act relating to the preparation and publication of the State Treasurer's quarterly report, advertising for bids for the publication thereof, letting of contract therefor, duties of the Governor and repeal of Section 187 of the Montana Revised Codes of 1921." State Board and Officers.

H. B. No. 4, by Besancon: A Bill for an Act entitled: "An Act for the submission to the qualified electors of the State of Montana of an amendment to Section 13 of Article XII of the Constitution of the State of Montana as amended; relating to the preparation, verification and filing of the quarterly report of the State Treasurer, and eliminating that portion of said section which requires the publication of said report." Constitutional Amendments.

H. B. No. 5, by Beadle: A Bill for for an Act entitled: "An Act providing for the examination of an adverse party in civil actions or proceedings, including officers and agents of a corporation party to an action on proceedings; regulating the manner of such examination and effect thereof and providing for a repeal of all Acts or parts of Acts in conflict herewith." Judiciary.

H. B. No. 6, by Fox and Parkin: A Bill for an Act entitled: "An Act to amend Section 3202 of the Revised Codes of Montana of 1921 providing penalties for the possession, control, sale, bartering, exchange, distribution or disposition of certain narcotic drugs contrary to the provisions of Sections 3189 to 3201, inclusive, of the Revised Codes of Montana of 1921." Public Morals.

H. B. No. 7, by McCarty: A Bill for an Act entitled: "An Act to amend Section 11239 of the Revised Codes of Montana of 1921, relating to the selling of opium, morphine and other narcotic drugs and providing a penalty for the violation thereof." Public Morals.

H. B. No. 8, by Loble: A Bill for an Act, entitled: "An Act to repeal Section 11527 of the Revised Codes of Montana 1921, relating to insulting school teachers." Education.

H. B. No. 9, by Beadle: A Bill for an Act entitled: "An Act regulating the fiscal management of, fixing the fiscal year for, and controlling and regulating the raising of revenue and the expenditure thereof during each fiscal year by all counties, cities, towns and consolidated cities and counties, and their institutions and agencies; requiring the making and filing of estimates of probable revenues from all sources and proposed expenditures for all purposes during each fiscal year; providing for the making and filing of provisional budgets, for the publication thereof, for public hearings thereon and for the approval and adoption of annual budgets of expenditures to be made for all purposes during each fiscal year; prescribing the manner of paying claims filed after the expiration of the fiscal year; providing for the raising of revenue, in addition to budget estimates and appropriations, by taxation; providing for the payment of warrant indebtedness outstanding at the close of the fiscal year ending June 30th, 1925; providing penalties for the violation of provisions of this Act; and repealing Sections 224, 225, 226, 227, 228, 229, 230, 4631, 5217, and 5218 of the Revised Codes of Montana, 1921," Townships and Counties.

House Joint Memorial No. 1, by Dellwo, entitled: "A Memorial to the Congress of the United States calling attention to the urgency of accelerating construction work upon the Flathead Irrigation Project, and making further and adequate appropriations therefor." Irrigation and Water Rights.

## MOTIONS AND RESOLUTIONS

Moved by Nagle, duly seconded and carried, that House Resolution No. 1 be considered printed, properly engrossed and placed on General Orders.

## CONSIDERATION OF GENERAL ORDERS

Moved by Nagle, duly seconded and carried, that House resolve itself into a Committee of the Whole, for the consideration of General Orders.

Holt in the chair.

Moved by Nagle, duly seconded and carried, that when the committee arises to report back to the House that the report be accepted.

Committee arose.

Mr. Speaker in the chair.

The Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration House Resolution No. 1, respectfully report as follows: That House Resolution No. 1 do pass.

C. F. HOLT.

Moved by Holt, duly seconded and carried, that report be adopted. There being no objections, House reverted to Order No. 9:



## THIRD READING OF HOUSE BILLS

Resolution No. 1, by Loble, having been read three several times, and title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Besancon, Brandt, Budas, Burns, Campbell, Caplis, Castles, Clarke, Cusick, Fitzgerald, Flachsenhar, Fletcher, Flynn, Fox, Gordon, Graybill, Green, Hanson, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Joffray, Johnson (Albert), Johnson (Elmer), Keeley, Kelly, Nelson, Kinville, Larson (Dr. E. M.), Larsen (A. T.), Larson (Robt.), Leavens, Lemmon, Lincoln, Loble, Masters, Nelstead, Merritt, Miller, Moriarty, Morris, Moss, Moulton, Mulholland, Murphy, McAfee, McCarty, McGrath, Nagle, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Reed, Rice, Ruffcorn, Rupert, Ryder, Sales, Schoening, Shields, Smith (David R.), Smith (Pearl I.), Steeves, Stoddard, Strange, Throssel, Tinsley, Troy, Waite, Walker, Walton, White, Wold, Wuerthner, Zeh, Mr. Speaker. Total—98.

Noes: Hardcastle. Total—1.

Absent and not voting: Kennedy, Meagher. Total—2.

Mr. Speaker then announced the following committee:

Livestock and Public Ranges—Leavens of Yellowstone, chairman; Harris of Meagher, vice chairman; Kennedy of Granite, Holton of Garfield, Higham of Carbon, Rupert of Sweet Grass, Waite of Powder River, Johnson of Valley, Moulton of Fergus, Nelson of Phillips, Tinsley of Madison, Meagher of Teton, Lincoln of Flathead, Plank of Liberty, Plumer of Treasure.

Mr. Speaker, after further consideration, confirmed the appointment of the Committee on Banks and Banking as announced on the third day.

Mr. Speaker excused Andrus of Custer until Monday, January 12.

Moved by Ruffcorn, duly seconded and carried, that House adjourn until 10:00 A. M., January 9.

R. C. BRICKER, Speaker.

Attest: H. J. FAUST, Chief Clerk.

## FIFTH DAY

House of Representatives,  
Helena, Montana, January 9, 1925.

House met pursuant to adjournment at 10:00 A. M.

Mr. Speaker in the chair.

Prayer by the Chaplain.

On roll call all present except Plumer, absent; Andrus, Campbell and Zeh excused by the Speaker until Monday.

Moved by Ruffcorn, duly seconded and carried, that the Journal for January 8 be considered read and approved.

Clerk announced that all House members whose wives and daughters are now in the city should hand in their names and addresses to the Sergeant at Arms.

## NOTICES

Authors gave notice that they will on tomorrow or some subsequent day introduce bills as follows:

By Besancon: A Bill for an Act entitled: "An Act to amend Section 6021 of the Montana Revised Codes of 1921, Relating to the duties of the Superintendent of Banks and Providing Penalties."

By Donaldson and Flachsenhar: A Bill for an Act entitled: "An Act amending Sections 648 and 649 of the Revised Codes of Montana, 1921, re-

lating to the arrangement and notice of nominations and ballots at Primary Elections."

By Graybill: A Bill for an Act entitled: "An Act for the submission to the qualified electors of the State of Montana of an amendment to Section Nineteen of Article VIII of the Constitution of the State of Montana, providing for the payment of salaries of County Attorneys by the counties for which they are elected."

By Keeley: A Bill for an Act entitled: "An Act to amend Section 8868 of the Revised Codes of the State of Montana for 1921, which relates to the disqualification of judicial officers."

By Larson (A. T.): A Bill for an Act entitled: "An Act to amend Section 7726 of the Revised Codes of Montana of 1921. Fixing and prescribing legal rate of interest."

By Wuerthner: A Bill for an Act entitled: "An Act to protect the title of motor vehicles within this State; to provide for the issuance of certificates of title and evidence of registration thereof; to regulate purchase and sale or other transfer of ownership; to facilitate the recovery of motor vehicles stolen or otherwise unlawfully taken; to provide for the regulation and licensing of certain dealers in used and second hand vehicles as herein defined; to prescribe the powers and duties of the secretary of state hereunder; and to provide penalties for violation of the provisions hereof"

By Andrews: A Bill for an Act entitled: "An Act establishing the eastern Montana normal college, defining the objects of its establishment, providing for the control, supervision and management thereof, and making the same a part of the University of Montana, and making an appropriation for renting, acquiring and equipping the necessary buildings therefor, and for the support, equipment and maintenance of said college."

By McAfee: A Bill for an Act entitled: "An Act amending the Revised Codes of Montana, 1921, Chap. 51, Sec. 620, extending the time from 10 days to 20 days in which county clerks shall have to make out the official ballot."

By Wuerthner: A Bill for an Act entitled: "An Act to amend Section 5685 of the Revised Codes of Montana of 1921 relating to powers of persons whose incapacity has been adjudged."

By Anderson: A Bill for an Act entitled: "An Act to amend Section 778 of the Revised Codes of Montana of 1921, relating to the counting of ballots by election judges and the rejection of illegal ballots."

By Loble and Keeley: A Bill for an Act entitled: "An Act to repeal Section 11514 of the Revised Codes of Montana 1921, relating to promoting fights between cocks, birds, dogs, bulls or bears."

By Ruffcorn, Loble, Hanson, Davis, Johnson (Fergus), Holton, Bergstrom and Leavens: A Bill for an Act entitled: "An Act to amend Section 180 Revised Codes of Montana, 1921, relating to interest on state warrants, as amended by Chapter 159 Acts of 18th Legislative Assembly."

By Ruffcorn, Holt, Johnson (Valley): A Bill for an Act entitled: "An Act to amend Section 2153 of the Revised Codes of Montana of 1921, relative to tax on personal property."

By Ainsworth: A Bill for an Act entitled: "An Act to amend Section 7726 of the Revised Codes of Montana of 1921, fixing and prescribing legal rates of interest and repealing all Acts and parts of Acts in conflict herewith."

By Ainsworth: A Bill for an Act entitled: "An Act relating to bank depository bonds with personal sureties thereon and providing for the acceptance of notes properly secured in settlement of liability, and repealing all Acts and parts of Acts in conflict herewith."

By Ainsworth: A Bill for an Act entitled: "An Act to amend Chapter 53 of the Session Laws of Montana of 1923, giving to the Judges of the District Courts of the State of Montana jurisdiction to render and sign judgments and make findings and render and sign decrees, make orders

and rulings on demurrers and motions, make orders to show cause and all ex-parte orders, in chambers anywhere within the State of Montana, and repealing all Acts and parts of Acts in conflict herewith."

By Duncan: A Bill for an Act entitled: "An Act to amend Section 5039 of the Revised Codes of Montana of 1921, relating to the powers of city councils, by inserting in paragraph No. 45 thereof, after the word "place" in the first line, the words "within or", and by adding a new paragraph thereto, to be shown as paragraph "83" giving the city and town councils power to declare and define what vegetation, within the city or town shall be noxious weeds, and to provide the manner in which they shall be exterminated, and for levying the cost of such extermination or removal as a special tax against the property."

### REPORTS OF STANDING COMMITTEES

The following report of Committee on House Employment was received:

Mr. Speaker: We, your Committee on Employment, recommend the appointment of the following:

Vivian E. Wirth, Assistant Engrossing Clerk (transfer from Clerk, Employment Committee); Myrrel Funk, Assistant Enrolling Clerk; Leila Lingshire, Stenographer; Rose Hessian, Stenographer; Alice Meagher, Stenographer; Rose Guallis, Stenographer; John McDonald, Copy Holder; Ed Bennett, Assistant to Printing Clerk as Proofreader; Gertrude Bresnahan, Stenographer; Ed Wylie, Day Watchman (transfer from Assistant Janitor).

DAVIS, Chairman.

On motion of Davis, duly seconded and carried, report was adopted.

### INTRODUCTION OF BILLS AND MEMORIALS

The following bills were introduced, read first and second times by title only, and referred to committees as follows:

H. B. No. 10, by Besancon and Mulholland: A Bill for an Act entitled: "An Act prescribing penalties for bank examiners or other persons whose duty it is to examine banks and other institutions, who have knowledge of their being unsafe and failing or neglecting to report the same." Referred to Banks and Banking Committee.

H. B. No. 11, by Besancon: A Bill for an Act entitled: "An Act to amend Section 6079 of the Montana Revised Codes of 1921, relating to the appointment of receiver for insolvent bank." Referred to Committee on Ways and Means.

H. B. No. 12, by Loble: A Bill for an Act entitled: "An Act to repeal Section 11520 of the Revised Codes of Montana of 1921, relating to harboring and concealing apprentices and other persons bound or held to service or labor." Referred to Judiciary Committee.

H. B. No. 13, by Mulholland: A Bill for an Act entitled: "An Act for the purpose of permitting other than attending students at the high schools of the State of Montana, to the examinations on the subjects taught in said schools, and giving proper credit therefor." Referred to Education Committee.

H. B. No. 14, by Nagle: A Bill for an Act entitled: "An Act to amend Section 10178 of the Revised Codes of Montana 1921, relating to the time within which actions must be commenced on claims against an estate rejected by the executor or administrator. Referred to Judiciary Committee.

### MOTIONS AND RESOLUTIONS

The following resolution was introduced by McCarty:

Be It Resolved, That the House of Representatives extend the courtesy of the Legislative Hall on Tuesday night, January 13th, to the Montana League of Women Voters, assembled in convention at Helena, Montana,



to be used for the presentation of the original suffrage files to the Montana Historical Library; and also for brief addresses on the subjects of World Court and Child Labor; and that the President of the Montana League of Women Voters be so notified.

McCARTY.

On motion of McCarty, duly seconded and carried, the resolution was adopted.

## CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE SENATE COMMUNICATIONS

Helena, January 8, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Employment Committee this day made the following appointments:

Elevator Operators—Louise C. Hocking, Mrs. P. Riece.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, January 8, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Committees has this day appointed the following Standing Committees:

Elections and Privileges—Oliver, chairman; Pomeroy, Dowlin, Paul, Duncan.

Judiciary—Stewart, chairman; Pomeroy, Speer, Linn, Shelver, Duncan, Demel, Walker, Green.

Finance and Claims—Paul, chairman; Pauline, Leuthold, Cowan, Staggs, Hazelbaker, Conser, Page, Peterson.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, January 8, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following notice was this day given:

By Speer: An Act to amend Sections 380, 381 and 383 of the Revised Codes of Montana of 1921, relating to the publishing of the decisions of the Supreme Court, commonly known as the Montana Reports.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, January 8, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 1, introduced by Wold, a Bill for an Act entitled: "An Act to appropriate money for the payment of mileage and per diem to the members of the Nineteenth Legislative Assembly of the State of Montana and per diem to the officers and attaches of the Nineteenth Legislative Assembly of the State of Montana, and for incidental expenses of the Nineteenth Legislative Assembly of the State of Montana," was this day read three several times and concurred in, title agreed to, and is herewith transmitted to the House.

Respectfully,

J. F. CONE, Secretary of Senate.

On request of McCarty, there being no objections, the House reverted to Order of Business No. 1:

## COMMUNICATIONS AND PETITIONS

Helena, Montana, January 8, 1925.

To the Members of the Nineteenth Legislative Assembly,  
State Capitol, Helena, Montana.

Gentlemen:

The Montana League of Women Voters has the honor to invite you to be present at the opening session of its fourth annual convention, to be held in the House on the evening of Tuesday, January 13, 1925.

Respectfully yours,

BELLE FLIGELMAN WINESTINE, President.

JESSIE McKENNA, Corresponding Secretary.

There being no objections, House reverted to Order of Business No. 4:

## REPORTS OF STANDING COMMITTEES

January 9th, 1925.

We, your Committee on Enrollment, beg to report H. B. No. 1 correctly enrolled.

J. H. McAFEE, Chairman.

Mr. Speaker gave notice that he was about to sign House Bill No. 1, introduced by Wold, and thereupon signed the same.

Mr. Speaker announced the appointment of the following committees:

Education—Eaton, chairman; Hawley, Hedrick, Gordon, Burns, Moss, Sales, Andrus, Davis, Merritt, Graybill, Kinville, Besancon, McCarty, Plank.

Townships and Counties—Donaldson, chairman; Parkin, Reed, Peat, Flachsenhar, Rice, Duncan, Keeley, Schoening, Castles, Fox, Nagle, Cusick, Graybill, Meagher.

Workmen's Compensation—Kennedy, chairman; Larson, Zeh, Clarke, Wuerthner, Ainsworth, Merritt, Fairgrieve, Moulton, Larson (Robt.), Kinville, Lemmon, Lincoln, Doran, Nagle.

Highways—Moss of Flathead, chairman; Wuerthner of Cascade, vice chairman; Strange of Ravalli, Patterson of Hill, Budas of Carbon, Ainsworth of Sanders, Steeves of Park, Green of Dawson, Morris of Chouteau, Walker of Fergus, Nelson of Phillips, Peterson of Glacier, Loble of Lewis and Clark, Joffray of Jefferson, Bergstrom of Fallon

Fish and Game—Sales of Gallatin, chairman; Harris of Meagher, vice chairman; Johnson of Valley, Throssel of Yellowstone, Campbell of Missoula, Reed of Broadwater, Hawley of Wheatland, Masters of Park, Davis of Wibaux, Stoddard of Deer Lodge, Peterson of Glacier, Patterson of Hill, Miller of Lincoln, Kinville of Silver Bow, Joffray of Jefferson.

Agriculture—Hanson of Daniels, chairman; Hoffman of Stillwater; vice chairman; Gordon of Big Horn; Brandt of Phillips, Fitzgerald of Ravalli, Hedrick of Fergus, Johnson of Valley, Ryder of Roosevelt, Walton of Gallatin, Larson (A. T.) of Sheridan, Akofer of Pondera, Cusick of Flathead, Dellwo of Lake, Anderson of Blaine, Besancon of Missoula.

Mines and Mining—Wuerthner of Cascade, chairman; Smith of Lewis and Clark, vice chairman; Fairgrieve of Carbon, Rupert of Sweet Grass, Steeves of Park, Campbell of Missoula, Kennedy of Granite, Nelson of Phillips, Moulton of Fergus, Joffray of Jefferson, Kelly of Silver Bow, Miller of Lincoln, Murphy of Deer Lodge, McGrath of Silver Bow, Stoddard of Deer Lodge.

Revenue and Taxation—Ruffcorn of Valley, chairman; Strange of Ravalli, vice chairman; Hanson of Daniels, Holton of Garfield, Berryman of Yellowstone, Schoening of Roosevelt, Fletcher of Golden Valley, Hoffman of Stillwater, Donaldson of Chouteau, Nagle of Lewis and Clark, Lemmon of Deer Lodge, Bergstrom of Fallon, Kelly of Silver Bow, Walton of Gallatin, Shields of Cascade.

Judiciary—Burns of Blaine, chairman; Holt of Cascade, vice chairman;

Fitzgerald of Ravalli, Flachsenhar of Prairie, Leavens of Yellowstone, Schoening of Roosevelt, Smith of Lewis and Clark, Ruffcorn of Valley, Ainsworth of Sanders, Johnson of Fergus, Nelstead of Carter, Campbell of Missoula, Besancon of Missoula, Beadle of Silver Bow, Fitzgerald of Silver Bow

Insurance—Flynn of Custer, chairman; Peat of Missoula, vice chairman; Nelson of Phillips, Parkin of Gallatin, Ryder of Roosevelt, Holt of Cascade, Hedrick of Fergus, Higham of Carbon, Nelstead of Carter, Kennedy of Granite, Peterson of Glacier, Meagher of Teton, Kelly of Silver Bow, Doran of Missoula, Murphy of Deer Lodge.

Irrigation—Strange of Ravalli, chairman; Berryman of Yellowstone, vice chairman; Harris of Meagher, Gordon of Big Horn, Sales of Gallatin, Wuerthner of Cascade, Akofer of Pondera, Plumer of Treasure, Budas of Carbon, Rice of Toole, Smith of Beaverhead, Steeves of Park, Peterson of Glacier, Tinsley of Madison, Cusick of Flathead.

Mr. Speaker announced that Woods of Petroleum, who has not taken his seat, has been named on some committees. Those are reservations for Mr. Woods when he arrives. He is not officially a member of the committees, and the Journal will so show.

On motion of Ruffcorn, the House adjourned until January 12, at 1:00 P. M.

R. C. BRICKER, Speaker.

Attest: H. J. FAUST, Chief Clerk.

## EIGHTH DAY

House of Representatives,

Helena, Montana, January 12, 1925.

House convened pursuant to adjournment at 1:00 P. M.

Mr. Speaker in the chair.

Sergeant at Arms presented communications from the Governor.

On roll call all members present.

Moved by Ruffcorn, duly seconded and carried, that after today the Journal Committee report back with recommendations.

The Committee on Journal reported as follows:

Mr. Speaker: We, your Committee on Journal, have this day examined the Journal for the fifth Legislative day and found the same correct.

PEARL I. SMITH, Chairman.

## NOTICES

Authors gave notice that they will on tomorrow or some subsequent day introduce bills as follows:

By Fairgrieve: A Bill for an Act entitled: "An Act providing a method for making the capital stock of corporations assessable and repealing Section 5993 of the Revised Codes of Montana of 1921, relating to said subject."

By Fairgrieve: A Bill for an Act entitled: "An Act to appropriate money for the payment of pamphlet copies of the Constitution of the State of Montana."

By Burns: A Bill for an Act entitled: "An Act to amend Section 7166 of the Revised Codes of Montana, 1921, as amended by Section 1 of Chapter 157 of the Session Laws of 1923, relating to the organization of Irrigation Districts."

By Burns: A Bill for an Act entitled: "An Act to amend Section 699 of the Revised Codes of Montana of 1921 relating to assistance given by Judges of Election to an elector in marking his ballot."

By Donaldson and Flachsenhar: A Bill for an Act entitled: "An Act



repealing Section 4807 and amending Section 4808 of the Revised Codes of Montana of 1921, relating to searches by the county clerk and making abstracts of title."

By Besancon: A Bill for an Act entitled: "An Act to amend Sections 1818, 1819, 1820, 1826 of the Montana Revised Codes of 1921, to repeal Section 1821, relating to the powers, duties and salaries of the register of state lands, his deputy, clerks and assistants; to abolish the office of the state land agent by repealing Sections 1824, 1825, 1827 and 1828 of said Codes and to amend Section 1829 thereof."

By Keeley: A Bill for an Act entitled: "An Act relating to salary and mileage of court stenographers, and amending Section 8933 of the Codes of the State of Montana of 1923, being a part of Chapter 20 of the Codes of Civil Procedure of the State of Montana of 1921, entitled 'Stenographers.'"

By Berryman and Nelson: A Bill for an Act entitled: "An Act relating to the sale of real property for delinquent taxes, and to amend Sections 2188, 2217, 2218, 2219, 2220, 2221, 2231, 2232 and 2233, and to repeal Sections 2182, 2183, 2184, 2185, 2186, 2187, 2189, 2190, 2192, 2193, 2194, 2195, 2196, 2197, 2201, 2202, 2204, 2205, 2206, 2207, 2208, 2209, 2212, 2213, 2214, 2215, 2216, 2224, 2225, 2229 and 2230 of the Revised Codes of Montana of 1921, with the amendments thereto."

By Larson (Robert): A Bill for an Act entitled: "An Act providing for abolishing the office of railroad commissioners and the board of railroad commissioners of the State of Montana, and their salaries; transferring their duties to the board composed of the state board of equalization to act without additional compensation; prohibiting free transportation of members and employees thereof; repealing Section 3779 and amending Sections 3784 and 3785 Revised Codes of Montana of 1921."

By Loble and Keeley: A Bill for an Act entitled: "An Act to repeal Sections 11555 of the Revised Codes of Montana 1921, relating to driving cattle on a railroad track, with the intention of injuring the railroad corporation."

By Wuerthner: A Bill for an Act entitled: "An Act to amend Section 387 of the Revised Codes of Montana of 1921, relating to the term of office of a Notary Public."

By Wuerthner and Loble: A Bill for an Act entitled: "An Act to submit to the qualified electors of the State of Montana an amendment to Section 6 of Article V of the Constitution of the State of Montana, providing for meetings of the Legislative Assembly to be held every four years."

By Hanson and Brandt: A Bill for an Act entitled: "An Act providing for the submission to the qualified electors of the State of Montana of an amendment to Section Four of Article XVI of the Constitution, relating to county commissioners."

By Hanson and Nelson: A Bill for an Act entitled: "An Act to amend Section 3384 of the Revised Codes of Montana of 1921 relating to the creation of herd districts."

By Nagle: A Bill for an Act entitled: "An Act to amend Section 9256 and Section 9257 of the Revised Codes of Montana of 1921, both relating to the provisional remedy of attachment in civil actions."

By Eaton, Gordon, Fairgrieve, Hoffman, Rupert, Merritt, Wold, Fletcher and Leavens: A Bill for an Act entitled: "An Act to establish the Eastern Montana State Normal School; defining its objects; designating the manner of its location; providing for the control, supervision and management thereof, amending Section 841 of the Revised Codes of Montana 1921, so as to place the institution under the control of the State Board of Education, and amending Section 852 of the Revised Codes of Montana 1921, so as to make said school a part of the University of Montana and providing for the selection of a site for the said school."

## INTRODUCTION OF BILLS AND MEMORIALS

The following bills were introduced, read first and second times by title only, and referred to committees as follows:

H. B. No. 15, by Ainsworth. A Bill for an Act entitled: "An Act relating to the operation of motor vehicles and providing for speed limits, precautions for safety of motor vehicles, rights of others, age of applicant for registration certificate and age of persons who may operate a motor vehicle, manner of operating, revocation of registration certificate, operating after revocation of such certificate, arrest and punishment of persons violating this act, court records of such cases, and repealing all acts and parts of acts in conflict herewith." Referred to Judiciary Committee.

H. B. No. 16, by Ainsworth: A Bill for an Act entitled: "An Act to amend Chapter 26 of the Revised Civil Code of Montana of 1921 by adding thereto two new sections to be known as Section 7102A relating to abandonment of water by failure to use, and Section 7102B relating to abandonment of surplus water sold; and repealing all Acts and parts of Acts in conflict herewith." Referred to Irrigation and Water Rights Committee.

H. B. No. 17, by Keeley: A Bill for an Act, entitled: "An Act to amend Section 8868 of the Revised Codes of the State of Montana, of 1921, which section is contained in Chapter 10 of Part I of the Code of Civil Procedure of the State of Montana, and which related to the disqualification of judicial officers." Referred to Judiciary Committee.

H. B. No. 18, by Besancon: A Bill for an Act entitled: "An Act to amend Chapter 93 of the Laws of Montana Legislative Assembly of 1923, which amended Sections 217 and 221 of the Revised Codes of Montana, 1921, relating to the fees of the state examiner." Referred to Ways and Means Committee.

H. B. No. 19, by Besancon: A Bill for an Act entitled: "An Act to amend Section 6021 of the Montana Revised Codes of 1921, relating to the duties of the Superintendent of Banks and providing penalties." Referred to Committee on Banks and Banking.

H. B. No. 20, by Flachsenhar: A Bill for an Act entitled: "An Act to amend Chapter 48 of the Revised Codes of Montana of 1921, by adding two new sections to be known as Sections 553 (a) Providing for a new register of voters and Section 553 (b) Providing for a declaration of political party, and to amend Sections 554, 568 and 568 of the Revised Codes of Montana, of 1921, all relating to the registration of electors." Referred to Privileges and Elections Committee.

H. B. No. 21, by Zeh: A Bill for an Act entitled: "An Act to amend Section 210 of the Revised Codes of Montana of 1921, as amended by Chapter 78 of the Montana Session Laws of 1923, prescribing the duties of the State Examiner and his assistants." Referred to State Boards and Officers Committee.

H. B. No. 22, by Graybill: A Bill for an Act entitled: "An Act for the submission to the qualified electors of the State of Montana of an amendment to Section Nineteen of Article VIII of the Constitution of the State of Montana, providing for the payment of salaries of County Attorneys by the Counties for which they are elected." Referred to Constitutional Amendments Committee.

H. B. No. 23, by Ruffcorn, Loble, Hanson, Davis, Holton, Bergstrom, Leavens, Johnson (Fergus): A Bill for an Act entitled: "An Act to amend Section 180 Revised Codes of Montana 1921, relating to interest on state warrants as amended by Chapter 159 Acts of the 18th Legislative Assembly." Referred to Revenue and Taxation Committee.

H. B. No. 24, by Larson (A. T.) and Ainsworth: A Bill for an Act entitled: "An Act to amend Section 7726 of the Revised Codes of Montana of 1921, fixing and prescribing legal rates of interest." Referred to Ways and Means Committee.

H. B. No. 25, by Anderson: A Bill for an Act entitled: "An Act to



amend Section 778 of the Revised Codes of Montana of 1921, relating to the counting of ballots by election judges and the rejection of illegal ballots." Referred to Privileges and Elections Committee.

H. B. No. 26, by Wuerthner: A Bill for an Act entitled: "An Act to amend Section 5685 of the Revised Codes of Montana of 1921 relating to powers of persons whose incapacity has been adjudged." Referred to Judiciary Committee.

H. B. No. 27, by Loble and Keeley: A Bill for an Act entitled: "An Act to repeal Section 11514 of the Revised Codes of Montana 1921, relating to promoting fights between cocks, birds, dogs, bulls or bears." Referred to Judiciary Committee.

### MOTIONS AND RESOLUTIONS

Whereas, The request of House Bills are numeruos; and,

Whereas, Rule 36 of the rules of the Nineteenth Legislative Assembly provide only for the filing of five hundred copies;

Therefore, Be It Resolved, That the Sergeant-at-Arms be instructed to mail copies of House Bills to each County Clerk of the State, to each newspaper of the State and to each Secretary of an actively working chamber of commerce, it being understood that this resolution does not deny any house member the right to mail copies of bills to any constituent who might possibly be interested in such bill or bills.

RUFFCORN.

Moved by Ruffcorn, duly seconded and carried, that the resolution be adopted.

Helena, Montana, January 9, 1925.

As the Nineteenth Legislative Assembly of the State of Montana takes up its tasks it is with keenest regret and sorrow that the members of the Committee on Agriculture of the House of Representatives learn of the serious illness of Mr. W. J. Hopper, president of the Montana Division, Farmers' Educational and Co-operative Union of America.

Tireless in his efforts for the farmers of Montana, but always just and fair-minded toward all groups and classes, Mr. Hopper has won a high place for himself in the regard of those with whom he has come in contact. His counsel and active aid are missed at this time.

It Is Resolved, therefore, by the Committee on Agriculture of the House of Representatives that the best wishes and sympathy of this body be sent to Mr. and Mrs. Hopper, and that the united and individual hope of the members that Mr. Hopper may speedily recover his physical health, be expressed to them.

It Is Further Resolved, That the Speaker of the House be instructed to forward a copy of this resolution to Mr. and Mrs. Hopper.

COMMITTEE ON AGRICULTURE,

FRED HANSON, Chairman.

Moved by Hanson, duly seconded and carried, that report be adopted.

### CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

The following communications were received from the Governor:

Helena, Montana, January 12, 1925.

The Speaker, House of Representatives,  
Helena, Montana.

In compliance with the provisions of the Constitution, I have the honor to transmit herewith a report of the Pardons and Commutations of Sentence granted by the Governor since the time of the report to the Eighteenth Legislative Assembly.

J. E. ERICKSON, Governor.



REPORT OF PARDONS AND COMMUTATIONS OF SENTENCE  
GRANTED SINCE THE REPORT TO THE EIGHTEENTH  
LEGISLATIVE ASSEMBLY

PARDONS

Fred DeAngelis—Committed from Carbon County Jan. 10, 1919. Crime, degree murder; sentence, life. The Warden, County Attorney and Judge as well as six of the jurors, recommended commutation of sentence. On Oct. 6, 1923, a pardon was granted on condition that DeAngelis be at once deported to his native land, Italy. Recommendations were based largely on the poor health of the prisoner.

John Vail—Committed from Valley county Nov. 24, 1923. Crime, violation of liquor laws; sentence, sixty days in county jail. It was represented that the prisoner was in very serious physical condition and could live only a short time. On January 11, 1924, he was granted a full pardon. He died Jan. 17, 1924.

Clifton C. Dorris—Convicted in Silver Bow county May 13, 1924, on the charge of assault in the second degree and sentenced to one to two years. Dorris was a state prohibition officer. Petitions signed by nearly 5,000 citizens of Silver Bow were presented asking a pardon for Dorris, and asserting that the verdict of conviction was a gross miscarriage of justice.

COMMUTATIONS

John Kwansey—Committed from McCone county March 26, 1923. Crime, larceny; sentence, 2 to 4 years. Judge and County Attorney who tried the case urged commutation because Kwansey's crime was only the stealing of some flax, and that he had a large family dependent on the county for support. On Nov. 13, 1923, sentence was commuted to 1 to 2 years.

Ernest R. Gust—Committed from Cascade county April 30, 1922. Crime, manslaughter; sentence, 5 to 10 years. In consideration of the facts in the case and in the belief that the ends of justice had been served sentence was commuted Jan. 24, 1923, to 3 to 6 years.

D. C. Ritter—Sentenced in Flathead county on two counts for violation of liquor law: (1) 3 months in county jail and fine of \$1,000; (2) fine of \$500. Judge, County Attorney and Board of County Commissioners recommended clemency, chiefly because of Ritter's dependent family and his promise to leave liquor alone. Sentences were commuted Feb. 10, 1923, the first to 3 months in jail and a fine of \$200, and the second to a fine of \$200.

Paul Yaple—Committed from Yellowstone county May 22, 1922. Crime, grand larceny; sentence, 5 to 10 years. The penalty seemed out of all proportion to the crime committed. Yaple's reputation was good before this trouble and the Warden recommended him for services and conduct, Yaple having had charge of the prison electric plant while at Deer Lodge. On March 23, 1923, sentence was commuted to 18 months to 2½ years.

James Donegan—Committed from Silver Bow county March 24, 1919. Crime, robbery; sentence, 10 to 20 years. On the recommendation of the Judge and Warden, the sentence was on March 24, 1923, commuted to 8 to 10 years.

Pat Azure—Committed from Phillips county Nov. 18, 1921. Crime, robbery; sentence, 5 to 10 years. On recommendation of Judge, County Attorney and Warden the sentence was on March 26, 1923, commuted to 2 to 3 years.

Julius Berg—Committed from Daniels county April 1, 1921. Crime, grand larceny; sentence, 5 to 10 years. Because of the serious physical condition of the prisoner and on recommendation of officials and physician, the sentence was commuted March 26, 1923, to 4 to 6 years.

James Welsh—Committed from Custer county Jan. 20, 1919. Crime, sodomy; sentence, 25 to 50 years. Welsh was 53 years old, had been a

model prisoner, and officials recommended clemency. On March 26, 1923, the sentence was commuted to 8 to 12 years.

George Dyer—Committed from Yellowstone county Feb. 18, 1914. Crime, robbery; sentence, 10 years. He escaped and was later returned. Based on his good conduct as a prisoner and the fact that the crime was committed nine years previous the sentence was on March 26, 1923, commuted to 6 years.

James Colbert—Committed from Silver Bow county March 22, 1919. Crime, second degree murder; sentence, 30 to 60 years. Because of good conduct in prison, ill health, and extenuating circumstances, the Judge, County Attorney and Warden recommended clemency. On March 26, 1923, the sentence was commuted to 8 to 15 years.

Fred Harter—Committed from Gallatin county February 8, 1923. Crime, grand larceny; sentence, 1 to 2 years. Judge, County Attorney, Sheriff and others recommended clemency, and on March 28, 1923, the sentence was commuted to 6 months to one year.

J. L. Davis—Committed from Carbon county. Crime, first degree assault; sentence, 5 to 10 years. Eight of the jurors wrote that they would not have convicted Davis in the light of subsequent evidence. Because of doubt as to the prisoner's guilt, the sentence was on April 14, 1923, commuted to 2 to 4 years.

John King Holliway—Committed from Cascade county April 20, 1922. Crime, robbery; sentence, 5 to 10 years. Because of his previous good record, his youth and his conduct while in prison, his sentence was on April 18, 1923, commuted to 2 to 4 years.

Edward Nelson—Committed from Daniels county February 19, 1923. Crime, second degree arson; sentence, 1 to 2 years. The Judge, County Attorney and Assistant Fire Marshal recommended clemency, and on April 28, 1923, the sentence was commuted to 6 months to 1 year.

Charles Berger—Committed from Sweet Grass county January 13, 1923. Crime, carrying concealed weapons; sentence, 1½ to 3 years. Numerous letters and petitions were filed in the prisoner's behalf, including one from the County Attorney. On May 9, 1923, the sentence was commuted to 9 months to 18 months.

Roy C. Spangler—Committed from Cascade county October 15, 1922. Crime, grand larceny; sentence, 2 to 4 years. The County Attorney strongly urged executive action, and on May 10, 1923, the sentence was cut to 14 months to 3 years.

Jack Clark—Committed to the Flathead county jail May 15, 1923. Crime, violation of liquor laws; sentence, 60 days and a fine of \$600. Because of recommendations by the Judge and County Attorney, the sentence was on June 4, 1923, commuted to 30 days in the county jail and a fine of \$600.

Jack Hanson—Committed from Richland county November 1, 1919. Crime, grand larceny; sentence, 2 to 6 years. Because of his youth and this having been his first offense, the sentence was on June 18, 1923, commuted to 2 to 4 years, conditioned on his reimbursement of the State for the expenses of his recapture and return to the prison in 1920.

W. J. Little—Committed from Silver Bow county March 7, 1917. Crime, second degree murder; sentence, 40 to 80 years. Upon the recommendation of Judge Jackson, who was prosecuting attorney at the time of the trial, the sentence was on June 18, 1923, commuted to 12 to 14 years.

Jack Riley—Committed from Cascade county, December 8, 1917. Crime, second degree murder; sentence, 30 to 60 years. On the recommendations of Judge Dwyer, Senator Speer, the Warden and others, the sentence was on June 18, 1923, commuted to 12 to 25 years.

Mack Hickerson—Committed from Mineral county June 21, 1920. Crime, attempted rape; sentence, 8 to 16 years. On the strength of a



letter from the trial Judge the sentence was on June 18, 1923, commuted to 6 to 10 years.

Albert E. Victor—Committed from Silver Bow county. Crime, burglary and prior conviction; sentence, 15 to 30 years. It was apparent that this was a case of mistaken identity and that the man had been convicted because he had been in prison before. Those associated with Victor in the crime had been paroled. On June 18, 1923, the sentence was commuted to 7 to 14 years.

Joel Holcomb—Committed from Rosebud county, May 28, 1918. Crime, murder in the second degree; sentence, 15 to 30 years. On the recommendation of Judge, County Attorney and Warden the sentence was on June 18, 1923, commuted to 10 to 20 years.

Alfred J. Brantingham—Committed from Silver Bow county May 22, 1922. Crime, obtaining money under false pretenses; sentence, 6 to 12 years. On recommendation of the Judge, County Attorney and others the sentence was on August 16, 1923, commuted to 5 to 12 years.

Jos. W. Jacobs—Committed from Silver Bow county March 27, 1919. Crime, robbery; sentence, 10 to 20 years. On recommendation of Judge Jackson and Lynch and others, the sentence was on August 16, 1923, commuted to 9 to 12 years.

John M. Berkebile—Committed from Phillips county December 21, 1922. Crime, grand larceny; sentence,  $3\frac{1}{2}$  to 7 years. On recommendation of Judge and County Attorney and many reputable citizens, the sentence was on August 16, 1923, commuted to  $1\frac{1}{2}$  to 3 years.

Thomas Casey—Committed from Glacier county October 27, 1922. Crime, second degree burglary; sentence, 2 to 4 years. It being apparent that the prisoner was likely to die if longer confined to prison, the sentence was on September 11, 1923, commuted to 20 to 24 months.

Henry Ehlers—Committed from Silver Bow county May 8, 1922. Crime, grand larceny; sentence, 5 to 10 years. Many citizens appealed on the prisoner's behalf, expressing the belief that Ehlers was not guilty and that if guilty, the penalty was too severe. On September 11, 1923, the sentence was commuted to 3 to 5 years.

Ed Gieske—Committed from Silver Bow county December 18, 1919. Crime, attempted rape; sentence, 24 to 48 years. The prisoner was 62 years old and on statements by the Judge and County Attorney who tried the case the sentence was on September 24, 1923, commuted to 8 to 12 years.

Joe Nadau—Committed from Custer county April 23, 1923. Crime, grand larceny; sentence, 3 to 6 years. The man was drunk when the crime was committed. Acting on recommendation and the belief that the prisoner had been sufficiently punished, the sentence was on September 24, 1923, commuted to 2 to 4 years.

Cecil Wilson—Committed from Judith Basin county October 4, 1923. Crime, burglary in the second degree; sentence, 2 to 4 years. Because the prisoner was only 15 years of age, the Governor on November 28, 1923, recommended his transfer to the State Industrial School at Miles City.

Clarence B. Young—Committed June 7, 1905, from Granite county. Crime, holding up Northern Pacific train; sentence, 50 years. March 8, 1908, crime prison breaking; sentence, life. Many letters were presented testifying to Young's good conduct prior to the commission of this crime, and in consideration of the fact that he was a young man when the offense was committed, the sentence was on February 23, 1924, commuted to 30 years.

Phil Michael—Committed from Silver Bow county February 13, 1923. Crime, first degree assault; sentence, 5 to 10 years. On recommendation of the Judge and County Attorney the sentence was on March 20, 1924, commuted to 2 to 3 years.

Joe Barnhard and Harry Koch—Committed from Rosebud county



December 20, 1923. Crime, stealing 30 bushels of wheat; sentence, 1 to 4 years. Judge, County Attorney and others recommended clemency. On March 20, 1924, the sentences were commuted to 6 months to 2 years.

Paul Mihalovich—Committed from Golden Valley county October 17, 1922. Crime, statutory rape; sentence, 2 to 4 years. As Judge, County Attorney and others recommended clemency, and further incarceration would have left his wife and children as public charges, his sentence was on March 20, 1924, commuted to 4 months to 1 year.

John Watkins—Committed in Fergus county January 8, 1924, to county jail. Crime, violation of liquor laws; sentence, 90 days in county jail and a fine of \$300.00. Clemency was recommended by the trial judge, who found after the trial that the crime was committed in another county. The prisoner's family were being cared for by the county. On April 22, 1924, the sentence was commuted to 90 days and \$25 fine.

Joseph E. Allen—Committed from Richland County Feb. 26, 1923. Crime, grand larceny, sentence, 4 to 8 years. On Recommendation of the trial judge, Deputy Sheriff and Warden, the sentence was on April 26, 1924, commuted to 2 to 4 years.

John T. Dwyer and Jacob Fischer—Committed from Valley county Feb. 28, 1923. Crime, violation of liquor laws; sentence, in Dwyer's case, county jail 5 months and \$1,000 fine; in Fischer's case, county jail 5 months and \$1,500 fine. The trial Judge recommended clemency because he thought at time of sentence that the men had the money with which to pay the fines, but later discovered his mistake. Each had served more than a year. On May 1, 1924, Dwyer's sentence was cut to 5 months and \$400, and Fischer's to 5 months and \$500.

James Minor—Committed from Yellowstone county Sept. 5, 1923. Crime, grand larceny; sentence, 2 to 4 years. Minor was 19 years old at the time of the crime, and on recommendation of the Judge, County Attorney and others the sentence was on May 2, 1924, commuted to 16 months to 2 years.

John S. Goforth and John T. Goforth—Committed from Beaverhead county March 17, 1924. Crime, theft of an automobile; sentence 7 to 14 years. The prisoners were respectively 18 and 19 years of age. On the ground that the punishment were excessive, their sentences were on June 12, 1924, commuted to seven months.

Robert Worth—Committed from Musselshell county Dec. 2, 1916. Crime, white slavery; sentence 18 to 20 years. Because of recommendations of officials and the belief that Worth had been sufficiently punished, his sentence was on June 25, 1924, commuted to 10 to 12 years.

Ernest A. Horland—Committed to the Flathead county jail in December, 1920, on a plea of guilty to a charge of violating the liquor laws; sentenced to 30 days in jail and to pay a fine of \$300. On recommendation of Judge and County Attorney the fine was remitted on July 22, 1924.

M. T. Polich—Committed Dec. 1, 1923, to Musselshell county jail. Crime, violation of liquor laws; sentence, 90 days in jail and a fine of \$500. On recommendation of officials the jail sentence was on Aug. 1, 1924, cut to 45 days.

Chester B. Lowdon—Committed from McCone county Nov. 17, 1923. Crime, Statutory rape; sentence, 2 to 4 years. On statements by Judge and County Attorney, sentence was on Aug. 1, 1924, commuted to 18 months to 2 years.

George Williams—Committed Jan. 19, 1924, from Ravalli county. Crime, Statutory rape; sentence, 2 to 4 years. On recommendation of the jurors in the case sentence was on Aug. 1, 1924, commuted to 1 to 2 years.

George Albertson—Committed from Silver Bow county, Jan. 31, 1924. Crime, forgery; sentence, 3 to 7 years. In view of statements of Judge and County Attorney and others, sentence was on Aug. 5, 1924, commuted to 1 to 3 years.

Enoch Flyum—Committed Dec. 12, 1922, from Sweet Grass County.

Crime, Statutory rape; sentence, 12½ to 25 years. Ten of the jurors presented a request for clemency; being of the opinion that the prisoner was not guilty. On Nov. 8, 1924, the sentence was commuted to 3 to 5 years.

Jacob Hakala—Committed March 11, 1917, from Silver Bow county. Crime, murder; sentence, life. On strength of recommendations by prison officials, sentence was on Nov. 15, 1924, commuted to 15 to 20 years.

Leonard Isaacson—Committed May 19, 1918, from Silver Bow county. Crime, second degree murder; sentence, 40 to 80 years. Because of doubt as to guilt of the prisoner and statements by persons familiar with the case, the sentence was on Nov. 15, 1924, commuted to 12 to 20 years, conditioned on Isaacson's immediate return to his old home in Finland.

Berry Doby—Committed from Carter county, Oct. 7, 1918. Crime, second degree murder; sentence, 45 to 90 years. Because of requests of Judge and emmbers of the board of county commissioners, sentence was on Nov. 15, 1924, commuted to 12 to 15 years.

George Hamm—Committed from Missoula county, March 9, 1920. Crime, statutory rape; sentence, 12 to 24 years. On recommendation of the County Attorney and Warden, sentence was on Nov. 26, 1924, commuted to 8 to 10 years.

Joe Reiser—Committed Feb. 28, 1916, from Gallatin county. Crime, second degree murder; sentence, 40 to 50 years. On recommendation of the Warden and because of the prisoner's good record sentence was on Nov. 26, 1924, commuted to 16 to 20 years.

Lester Babb—Committed from Dawson county, Feb. 24, 1921. Crime, statutory rape; sentence, 15 to 30 years. On recommendation of the Warden sentence was on Nov. 26, 1924, commuted to 7 to 10 years.

Rennie Mignault—Committed from Richland county June 14, 1918. Crime, murder; sentence, life. On statements of Judge and County Attorney sentence was on Dec. 2, 1924, commuted to 13 to 20 years.

Adolph Scharf—Committed from Park county Jan. 28, 1924. Crime, statutory rape; sentence, 5 to 10 years. Because of recommendations by the Judge, County Attorney and Warden, sentence was on Dec. 2, 1924, commuted to 2 to 3 years.

Ralph Brevik—Committed from Daniels county April 20, 1924. Crime, statutory rape; sentence, 3 to 6 years. On petition by many citizens of his county, sentence was on Dec. 2, 1924, commuted to 16 months to 2 years.

William Mumford—Committed from Valley county Jan. 24, 1924. Crime, manslaughter; sentence, 5 to 10 years. Upon petition of six of the jurors in the case, and others, sentence was on Dec. 6, 1924, commuted to 2 to 4 years.

Chas. T. Kalbow—Committed July 4, 1921, from McCone county. Crime, statutory rape; sentence, 15 years. The prisoner was 56 years of age and on recommendation of the Warden sentence was on Dec. 10, 1924, commuted to 7 to 10 years.

Nick Pavich—Committed from Lewis and Clark county for murder. Sentence, 48 to 96 years. Pavich had served more than 7 years. On recommendation of the Warden sentence was on Dec. 10, 1924, commuted to 15 to 20 years.

Joseph Burshia—Committed from Roosevelt county Feb. 9, 1920. Crime, second degree murder; sentence, 15 to 30 years. Six of the jurors requested clemency and in this were joined by other prominent citizens of the county. Sentence was on Dec. 15, 1924, commuted to 11 to 15 years.

Daniel Merrigan—Committed from Silver Bow county Oct. 7, 1919. Crime, second degree murder; sentence, 40 to 80 years. On recommendation of the Warden and others sentence in the case of Merrigan, who is 64 years old, was on Dec. 15, 1924, commuted to 10½ to 15 years.

William A. Hedrick—Committed Dec. 21, 1919, from Carter county. Crime, second degree murder; sentence, 25 to 50 years. On recommendation of Senator John Oliver, Judge Comer and others, sentence was on Dec. 17, 1924, commuted to 10 to 20 years.

Ray Newell—Committed from Ravalli county July 27, 1924. Crime, burglary; sentence, 2 to 4 years. On recommendation of the county Attorney and others sentence was on Dec. 17, 1924, commuted to 1 to 2 years.

Wilfred Bell—Committed from Richland county for grand larceny; sentence, 2 to 4 years. Nine of the jurors signed a petition for clemency. On Dec. 22, 1924, sentence was commuted to 14 months to 3 years.

William J. McInness—Committed from Lewis and Clark county Oct. 19, 1921. Crime, statutory rape; sentence, 14 to 35 years. The County Attorney and nine of the jurors requested clemency. On Dec. 23, 1924, sentence was commuted to 6 to 12 years.

Helena, January 9, 1925.

The Speaker, House of Representatives,  
Helena, Montana.

I have the honor to transmit herewith a certified copy of the Joint Resolution proposing an amendment to the Constitution of the United States, regulating Child Labor, for such action as your honorable body may deem advisable.

J. E. ERICKSON, Governor.

Joint resolution mentioned was then read first time.

Moved by Ruffcorn, duly seconded and carried, that the messages from Governor be considered read at length and that the Journal so show.

The following communications were received from Senate:

Helena, January 9, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 1, introduced by Wold, was this day signed by the President in open session.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, January 9, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Employment Committee has this day made the following report:

Printing Clerk—James Stevens.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, January 9, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Bill No. 1, by Speer, a Bill for an Act entitled: "An Act to amend Sections 380, 381, and 383 of the Revised Codes of Montana of 1921, relating to the publishing of Decisions of the Supreme Court, commonly known as the Montana Reports," was this day read first and second time and referred to the Judiciary Committee.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, January 9, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Committees have this day appointed the following Standing Committees:

Banks and Banking—Henderson, chairman; Schnitzler, Dowlin, Staggs, Oliver, Adams, Linn, Buttelman, McQuitty.

Education—Conser, chairman; Mears, Smith, Rhoads, Swift, Porter. Demel.

Insurance—Spencer, chairman; Oliver, Stewart, Smith, McCormick, Church, Green.



Dairies and Dairying—Schnitzler, chairman; Adams, Survant, Brownlee, Peterson.

Irrigation and Water Rights—Kane, chairman; Adams, Survant, Pomeroy, Corrington, Spencer, Peden, Buttelman, McQuitty.

Railroads and Transportation—Rhoads, chairman; Cooper, Greenup, Corrington, Shelver, McQuitty, Walker, Muffly, Porter.

Roads and Highways—Speer, Chairman; Cooper, Henderson, McCabe, Staggs, Corrington, Rhoads, Church, Watson.

Taxation—Griffin, chairman; Swift, Survant, Speer, Kane, Peck, Greenup, Clark, Garber.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, January 9, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Notices of Introduction of Bills were this day given:

By Peck, Leuthold, Walker, McQuitty: "An Act providing for a budget system for making and controlling estimates, expenditures and tax levies by school districts and county high schools."

By Smith: "A Bill for the establishment of a Normal School for Eastern Montana at Miles City, Montana."

By Peck, Leuthold, Speer, Walker, McQuitty: "An Act regulating the fiscal management of, fixing the fiscal year for, and controlling and regulating the raising of revenue and the expenditure thereof during each fiscal year by all counties, cities, towns and consolidated cities and counties, and their institutions and agencies; requiring the making and filing of estimates of probable revenues from all sources and proposed expenditures for all purposes during each fiscal year; providing for the making and filing of provisional budgets, for the publication thereof, for public hearings thereon and for the approval and adoption of annual budgets of expenditures to be made for all purposes during each fiscal year; providing for temporary loans secured by delinquent taxes and the creation of the delinquent tax fund; prescribing the manner of paying claims filed after the expiration of the fiscal year; providing for the raising of revenue in addition to budget estimates and appropriations, by taxation, providing for the payment of warrant indebtedness outstanding at the close of the fiscal year ending June 30th, 1925; providing penalties for the violation of provisions of this Act; and repealing Sections 224, 225, 226, 227, 228, 229, 230, 4631, 5217 and 5218 of the Revised Codes of Montana, 1921.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, January 9, 1925.

Moved by Loble, duly seconded and carried, that the communications from the Senate be considered read at length and the Journal so show.

Mr. Speaker announced the rest of the Committees as follows:

Affairs of Cities—Clarke of Rosebud, chairman; Duncan of Cascade, vice chairman; Campbell of Missoula, Flachsenhar of Prairie, Keeley of Powell, Masters of Park, Throssel of Yellowstone, Peat of Missoula, Walker of Fergus, Caplis of Silver Bow, Doran of Silver Bow, Fox of Silver Bow, Murphy of Deer Lodge, Mulholland of Silver Bow.

State Institutions; Public Buildings and Grounds—Berryman of Yellowstone, chairman; Schoening of Roosevelt, vice chairman; Parkin of Gallatin, Zeh of Missoula, Davis of Wibaux, Andrus of Custer, Smith of Beaverhead, Caplis of Silver Bow, Anderson of Blaine, Fitzgerald of Silver Bow, Tinsley of Madison.

Railroads and Transportation—Hawley of Wheatland, chairman; Clarke of Rosebud, vice chairman; Masters of Park, Rupert of Sweet Grass, Troy of Hill, Nelson of Phillips, Waite of Powder River, Morris of Chouteau, Moriarity of McCone, Flynn of Custer, Joffray of Broadwater,

Lincoln of Flathead, Murphy of Deer Lodge, McGrath of Silver Bow, Shields of Cascade.

Public Health and Sanitary Affairs—Larson (Dr.) of Cascade, chairman; Andrus of Custer, vice chairman; Castles of Mineral, Fairgrieve of Carbon, Green of Dawson, Johnson of Valley, Trossel of Yellowstone, Stoddard of Deer Lodge, Cusick of Flathead, Graybill of Cascade, Kinville of Silver Bow.

Development and Publicity—Gordon of Big Horn, chairman; Johnson of Fergus, vice chairman; Hanson of Daniels, Peat of Missoula, Moss of Flathead, Berryman of Yellowstone, Plumer of Treasure, Doran of Silver Bow, Graybill of Cascade.

Constitutional Amendments—Holt of Cascade, chairman; Eaton of Yellowstone, vice chairman; Keeley of Powell, Fairgrieve of Carbon, Beadle of Silver Bow, Lemmon of Deer Lodge.

Public Safety—Holt of Cascade, chairman; Masters of Park, vice chairman; Ainsworth of Sanders, Troy of Hill, Fitzgerald of Silver Bow, Stoddard of Deer Lodge, Mulholland of Silver Bow.

Military Affairs—White of Richland, chairman; Patterson of Hill, vice chairman; Burns of Blaine, Throssel of Yellowstone, Ryder of Roosevelt, Smith of Lewis and Clark, Walker of Fergus, Shields of Cascade, Kinville of Silver Bow, Dellwo of Lake, Besancon of Missoula.

Horticulture—McAfee of Flathead, chairman; Walton of Gallatin, vice chairman; Eaton of Yellowstone, Kennedy of Granite, Strange of Ravalli, Larson (Robt.) of Sheridan, McCarty of Dawson, Shields of Cascade, Joffray of Jefferson.

Public Morals, Charities and Reforms—Hedrick of Fergus, chairman; Brandt of Phillips, vice chairman; Fletcher of Golden Valley, Eaton of Yellowstone, Burns of Blaine, Smith of Lewis and Clark, Andrus of Custer, Smith of Beaverhead, Miller of Lincoln, McCarty of Dawson, Fox of Silver Bow, Graybill of Cascade, Fitzgerald of Silver Bow.

Equal Suffrage—Ryder of Roosevelt, chairman; Zeh of Missoula, vice chairman; McAfee of Flathead, Larson (A. T.) of Sheridan, Kelly of Silver Bow, McCarty of Dawson, Fitzgerald of Silver Bow.

Dairying—Fitzgarrald of Ravalli, chairman; Steeves of Park, vice chairman; Sales of Gallatin, Merritt of Musselshell, Moriarity of McCone, Budas of Carbon, Larson of Cascade, Rupert of Sweet Grass, Patterson of Hill, Larson (A. T.) of Sheridan, Meagher of Teton, Plank of Liberty, Cusick of Flathead.

Privileges and Elections—Harris of Meagher, chairman; Gordon of Big Horn, vice chairman; Wold of Yellowstone, Ruffcorn of Valley, Castles of Mineral, Wuerthner of Cascade, Tinsley of Madison, McCarty of Dawson, McGrath of Silver Bow, Hardcastle of Silver Bow.

Conservation of Resources—Hoffman of Stillwater, chairman; Budas of Carbon, vice chairman; Donaldson of Chouteau, Fletcher of Golden Valley, Hardcastle of Silver Bow, Beadle of Silver Bow, Miller of Lincoln.

Libraries—Morris of Chouteau, chairman; Eaton of Yellowstone, vice chairman; Moss of Flathead, Larson of Cascade, Hardcastle of Silver Bow, Mulholland of Silver Bow, Loble of Lewis and Clark.

Internal Improvements—Larson (A. T.) of Sheridan, chairman; Hingham of Carbon, Donaldson of Chouteau, Holton of Garfield, Doran of Silver Bow.

Public Utilities and State Commissions—Andrus of Custer, chairman; Campbell of Missoula, vice chairman; Throssel of Yellowstone, Steeves of Park, Sales of Gallatin, Walker of Fergus, Fox of Silver Bow, Peterson of Glacier, Caplis of Silver Bow.

New Counties and Divisions—Schoening of Roosevelt, chairman; Walker of Fergus, vice chairman; Duncan of Cascade, Holt of Cascade, Moriarity of McCone, Flynn of Custer, Dellwo of Lake, Peterson of Glacier, Morris of Chouteau, Cusick of Flathead.

Corporations Other Than Municipal—Nelstead of Carter, chairman; Ainsworth of Sanders, vice chairman; Keeley of Powell, Castles of Mineral, Miller of Lincoln, Kelly of Silver Bow.

Fairs and Expositions—Peat, chairman; Brandt, vice chairman; Fitzgarrald, Larson, Holton, Rupert, White, Leavens, Fletcher, Nagle Kinville, Loble, Murphy, Dellwo, Tinsley.

Ways and Means—Troy of Hill, Chairman; Hawley of Wheatland, vice Chairman; Hanson of Daniels, Nelson of Phillips, Wold of Yellowstone, Castles of Mineral, Morris of Chouteau, Hoffman of Stillwater, McAfee of Flathead, Davis of Wibaux, Hardcastle of Silver Bow, Nagle of Lewis and Clark, McGrath of Silver Bow, Plumer of Treasure, Graybill of Cascade.

State Boards and Officers—Schoening of Roosevelt, chairman; Green of Dawson, vice chairman; Andrus of Custer, Harris of Meagher, Johnson of Fergus, Kinville of Silver Bow, Fox of Silver Bow.

Waterways and Navigation—**Brandt of Phillips**, chairman; Moulton of Fergus, vice chairman; Moriarity of McCone, Moss of Flathead, Ruffcorn of Valley, Plumer of Treasure, Meagher of Teton.

Apportionment and Representation—Smith of Lewis and Clarke, chairman; Walton of Gallatin, vice chairman; Budas of Carbon, Hedrick of Fergus, Green of Dawson, Johnson of Valley, Larson of Sheridan (Robt.), Besancon of Missoula, Hardcastle of Silver Bow.

Mr. Speaker asked that the Journal show the Appropriations Committee of 17 members complete as follows:

Appropriations—Wold of Yellowstone, chairman; Reed of Broadwater, vice chairman; Parkin of Gallatin, McAfee of Flathead, Flynn of Custer, Donaldson of Chouteau, Smith of Beaverhead, Troy of Hill, Johnson of Fergus, Caplis of Silver Bow, Duncan of Cascade, Lemmon of Deer Lodge, Loble of Lewis and Clark, Larsen (A. T.) of Sheridan, Tinsley of Madison, Anderson of Blaine, Peat of Madison.

Mr. Speaker announced that the House Committee on Constitutional Amendments act as members on Joint Committee on Constitutional Amendments.

Mr. Speaker announced that he had placed Strange of Ravalli instead of Woods of Petroleum on Enrolling Committee.

Moved by Ruffcorn, duly seconded and carried, that the House adjourn until 10:30 Tuesday, January 13, 1925.

R. C. BRICKER, Speaker.

Attest: H. J. FAUST, Chief Clerk.

## NINTH DAY

House of Representatives,  
Helena, Montana, January 12, 1925.

House met pursuant to adjournment at 10:30 A. M.

Mr. Speaker in the chair.

Prayer by Rev. Leo L. Totten of Great Falls.

On roll call all present except: Ainsworth—excused on account of sickness, and Beadle, excused from the morning session.

The Journal Committee reported as follows:

Mr. Speaker: We, your Committee on Journal, have this day examined the Journal for the eighth Legislative day and found the same correct.

PEARL I. SMITH, Chairman.

Moved by Smith (Pearl I.), duly seconded and carried, that the report be adopted.



## NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce bills as follows:

By Graybill: A Bill for an Act entitled: "An Act amending Section 8286 of the Revised Codes of Montana of 1921, which relates to the execution of a power of sale contained in a mortgage of personal property, by providing for attorney fees when such power of sale is executed."

By Joffray: A Bill for an Act entitled: "An Act to amend Section 12103 and 12104 of the Revised Codes of the State of Montana, 1921, relative to the imposition of the death penalty, providing where said execution shall take place, and designating the person, who shall inflict the death penalty, and providing for the return upon the death warrant."

By Dellwo: A Bill for an Act entitled: "An Act to amend Section 3704 of the Revised Codes of Montana, 1921, as amended by Section 14, Chapter 77, of the laws of the Eighteenth Legislative Assembly of Montana, 1923, relating to open season on fur bearing animals."

By Parkin: A Bill for an Act entitled: "An Act to amend Section 916 of the Revised Codes of Montana of 1921, relating to expenses of the State Entomologist."

By Nelstead: A Bill for an Act entitled: "An Act to amend Section 1617 of the Revised Codes of the State of Montana of 1921, relating to the levy of a tax for road purposes, and to repeal Section 1804 of the Revised Codes of Montana of 1921, relating to the levy of a tax for bridge purposes."

By McCarty: A Bill for an Act entitled: "An Act to amend Sections 6069 and 6060, of Chapter 13, of the General Banking Act, of the Revised Codes of the State of Montana of 1921, relating to limitation on loans and loans to managing officers."

By Duncan: A Bill for an Act entitled: "An Act regulating the sale of goods, wares and merchandise in bulk."

By McAfee, Moss, Lincoln, Cusick: A Bill for an Act entitled: "An Act authorizing Wilsie M. Cramer to commence, institute and prosecute to final determination an action at law against the State of Montana for the purpose of determining a certain controversy now existing between the said Wilsie M. Cramer and the State of Montana in connection with the sale of certain lands situated in Flathead County, Montana, to the State of Montana for the use of the State Game and Fish Commission."

By Anderson: A Bill for an Act entitled: "An Act to amend Section 123 of the Revised Codes of Montana of 1921, relating to consolidated clerkships."

By Kinville: A Bill for an Act entitled: "An Act to amend Sections 12093, 12098, 12100, 12101, 12103, 12104 of the Code of 1921, so as to require a judgment of death to be executed at the State Penitentiary."

By Hanson, Walton, Johnson of Fergus: A Bill for an Act entitled: "An Act to amend Chapter XXXII of the Session Laws of 1923, amending Section 8275 of the Revised Codes of Montana of 1921, relating to Chattel Mortgages."

By Moss: A Bill for an Act entitled: "An Act to amend Section 11956 of the Revised Codes of Montana of 1921 relating to the number of peremptory challenges of jurors allowed the state in the trial of criminal cases."

By Holt: A Bill for an Act entitled: "An Act to amend Section 1282 of the Revised Codes of Montana of 1921, as amended by Sections 2, 3 and 4 of Chapter 19 of the Session Laws of the Eighteenth Legislative Assembly of 1923, relating to the attendance of pupils at High Schools for the purpose of apportionment and distribution of High School Funds."

By Holt: A Bill for an Act entitled: "An Act to amend Section 1010 of the Revised Codes of Montana of 1921, as amended by Chapter 70, of the Session Laws of the Eighteenth Legislative Assembly of 1923, relating to transportation of pupils."

By Lincoln: A Bill for an Act entitled: "An Act to amend Section 11186, Revised Codes of Montana, 1921, Chapter 34, Revised Codes of Montana, 1921, relating to pawnbrokers."

By Duncan: A Bill for an Act entitled: "An Act to amend Section No. 1686 of the Revised Codes of Montana, 1921, regulating the letting of contracts for the improvement and construction of highways."

By Johnson of Valley, Ruffcorn, Schoening: A Bill for an Act entitled: "An Act to amend Section 1 of Chapter 32 of the Session Laws of the Eighteenth Legislative Assembly of the State of Montana, relating to Chattel Mortgages."

By Loble: A Bill for an Act entitled: "An Act to amend Section 9732 of the Revised Codes of Montana, of 1921, relating to when an appeal may be taken to the Supreme Court of Montana."

By Loble: A Bill for an Act entitled: "An Act to amend Section 9746 of the Revised Codes of Montana of 1921, relative to the authentication of Copies of appeals to the Supreme Court and concerning abbreviated records on appeals to the Supreme Court of Montana."

By Loble, Keeley: A Bill for an Act entitled: "An Act to repeal Section 11504 of the Revised Codes of Montana 1921, relating to driving a team on a sidewalk."

By Cusick: A Bill for an Act entitled: "An Act amending Section 985 of the Revised Codes of Montana of 1921, relating to the qualifications of school trustees."

By Hoffman: A Bill for an Act entitled: "An Act to repeal Chapter 63 of the laws of the Eighteenth Legislative Assembly of the State of Montana."

By Caplis, Reed, Fairgrieve, Mulholland: A Bill for an Act entitled: "An Act concerning industrial banks, defining the same, and providing for their incorporation, powers, supervision and control."

## REPORTS OF STANDING COMMITTEES

The Committee on Employment reported as follows:

Helena, January 12, 1925.

Mr. Speaker: We, your Committee on Employment, beg to advise that at a meeting held at 2:20 P. M. today, the following assignments were made:

Clerk of Judiciary Committee—Bessie Johnston.

Clerk of Ways and Means, Railroads and Transportation and Public Safety Committees—Helen Severtson.

Clerk of Workmen's Compensation, Labor, and Mines and Mining Committees—Marion Aho.

Clerk of Employment, Agriculture and Horticulture Committees—Edith Briscoe.

Clerk of Banks and Banking, Livestock and Public Ranges, State Lands and Federal Relations Committees—Alise Chisholm.

Clerk of Revenue and Taxation Committee—Ida Henry.

Clerk of Education, State Institutions and Public Buildings and Grounds Committees—June Snow.

It was also suggested that Mr. Donaldson, third Assistant Sergeant-at-Arms, be assigned the duties of day watchman, in addition to his other duties, thus allowing the two watchmen now employed to work the regular eight-hour shift.

DAVIS, Chairman.

Moved by Davis, duly seconded and carried, that the report be adopted.

January 12, 1925.

Mr. Speaker: We, your Committee on Employment, recommend the appointment of the following:

Janitor—Mr. Albert Tovey.

Stenographer—Miss Ida Henry (assigned to Committee on Revenue and Taxation).

DAVIS, Chairman.

Moved by Davis, duly seconded and carried, that the report be adopted.

### INTRODUCTION OF BILLS AND MEMORIALS

The following bills were introduced, read first and second times and referred to committees as follows:

H. B. No. 28, by Burns: A Bill for an Act entitled: "An Act to amend Section 699 of Chapter 55 of the Revised Codes of Montana of 1921." Referred to Privileges and Elections Committee.

H. B. No. 29, by Burns: A Bill for an Act entitled: "An Act relating to the irrigation districts, and amending and re-enacting Section 7166 of the Revised Codes of Montana of 1921 as amended by Section 1 of the Session Laws of 1923." Referred to Irrigation and Water Rights Committee.

H. B. No. 30, by Loble: A Bill for an Act entitled: "An Act to repeal Section 11555 of the Revised Codes of Montana 1921, relating to driving cattle on a railroad track, with the intention of injuring the railroad corporation." Referred to Public Safety Committee.

H. B. No. 31, by Wuerthner and Loble: A Bill for an Act entitled: "An Act to submit to the qualified electors of the State of Montana an amendment to Section 6 of Article V of the Constitution of the State of Montana, providing for meetings of the Legislative Assembly to be held every four years." Referred to Constitutional Amendments Committee.

H. B. No. 32, by Donaldson and Flachsenhar: A Bill for an Act entitled: "An Act to amend Sections 648 and 649 of the Revised Codes of Montana relating to the arrangement and notice of nominations and ballots at primary elections." Referred to Privileges and Elections Committee.

H. B. No. 33, by Besancon: A Bill for an Act entitled: "An Act to amend Section 1818, 1819, 1820, 1822 and 1826 of the Montana Revised Codes of 1921; to repeal Section 1821, relating to the powers, duties and salaries of the register of state lands, his deputy, clerks and assistants; to abolish the office of state land agent by repealing Sections 1824, 1825, 1827 and 1828 of said Codes and to amend Section 1829 thereof." Referred to State Boards and Officers.

H. B. No. 34, by Ruffcorn, Holt, Johnson (Valley): A Bill for an Act entitled: "An Act to amend Section 2153 of the Revised Codes of Montana of 1921, relative to tax on personal property." Referred to Revenue and Taxation Committee.

H. B. No. 35, by Wuerthner: A Bill for and Act entitled: "An Act to protect the titles of motor vehicles within this state; to provide for the issuance of certificates of title and evidence of registration thereof; to regulate, purchase and sale or other transfer of ownership; to facilitate the recovery of motor vehicles stolen or otherwise unlawfully taken; to provide for the regulation and licensing of certain dealers in used and second hand vehicles as herein defined; to prescribe the powers and duties of the Secretary of State hereunder; and to provide penalties for violation of the provisions hereof." Referred to Ways and Means Committee.

H. B. No. 36, by Hanson and Nelson: A Bill for an Act Entitled: "An Act to amend Section 3384 of the Revised Codes of Montana of 1921, relating to the creation of herd districts." Referred to Committee on Agriculture.

H. B. No. 37, by Hanson and Brandt: A Bill for an Act entitled: "An Act providing for the submission to the qualified electors of the State of Montana of an amendment to Section Four of Article XVI of the Constitution relating to county commissioners." Referred to Committee on Constitutional Amendments.

H. B. No. 38, by Wuerthner: A Bill for an Act Entitled: "An Act



to amend Section 387 of the Revised Codes of Montana of 1921, relating to the term of office of a notary public." Referred to Judiciary Committee.

H. B. No. 39, by Keeley: A Bill for an Act entitled: "An Act relating to salary and mileage of court stenographers, and amending Section 8933 of the Revised Codes of the State of Montana of 1921, being a part of Chapter 20 of the Code of Civil Procedure of the State of Montana of 1921, entitled 'Stenographers.'"

H. B. No. 40, by Berryman and Nelson: A Bill for an Act entitled: "An Act relating to the sale of real property for delinquent taxes, and to amend Sections 2188, 2217, 2218, 2219, 2220, 2221, 2231, 2232, and 2233, and to repeal Sections 2182, 2183, 2184, 2185, 2186, 2187, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2201, 2202, 2204, 2205, 2206, 2207, 2208, 2209, 2212, 2213, 2214, 2215, 2216, 2224, 2225, 2229, and 2230, of the Revised Codes of Montana of 1921, with the amendments thereto." Referred to Committee on Ways and Means.

H. B. No. 41, by Nagle: A Bill for an Act entitled: "An Act to amend Section 9256 and Section 9257 of the Revised Codes of Montana of 1921, both relating to the provisional remedy of attachment in Civil Actions." Referred to Judiciary Committee.

H. B. No. 42, by Fairgrieve: A Bill for an Act entitled: "An Act to appropriate money for the payment of pamphlet copies of the Constitution of the State of Montana." Referred to Appropriations Committee.

H. B. No. 43, by Fairgrieve: A Bill for an Act entitled: "An Act providing a method for making the capital stock of corporations assessable and repealing Section 5993 of the Revised Codes of Montana of 1921, relating to said subject." Referred to Corporations other than Municipal Committee.

#### MOTIONS AND RESOLUTIONS

Moved by Zeh, duly seconded and carried, that, as 150 copies of the daily synopsis of House Proceedings were not sufficient, 200 copies be printed hereafter.

The following House Joint Resolution No. 2, introduced by Kelly, Kinville, McGrath, Fox, Fitzgerald, Beadle, Mulholland, Hardcastle, Caplis, Doran, Tinsley and Joffray, was read first and second times and referred to State Institutions, Public Buildings and Grounds Committee:

"WHEREAS, The State School of Mines, located in Butte, Silver Bow County, Montana, does not maintain a First Year Collegiate Course; and,

WHEREAS, Many young men and women residing in and about Silver Bow County desire to obtain a First Year Collegiate Course at the State School of Mines; and,

WHEREAS, Facilities exist at the State School of Mines for instituting a First Year Collegiate Course;

THEREFORE, BE IT RESOLVED, By the House of Representatives and the Senate of the Nineteenth Legislative Assembly of the State of Montana, that the Chancellor of the State of Montana and the State Board of Education be, and they are hereby requested to institute a First Year Collegiate Course at the State School of Mines."

#### CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

The following Joint Resolution attached to the Governor's Communication of January 12, was read second time in full:

#### DEPARTMENT OF STATE

#### WASHINGTON

June 6, 1924

The Honorable,  
The Governor of Montana,  
Helena.

Sir:

I have the honor to transmit to you herewith a certified copy of a Joint Resolution passed on June 2, 1924, by the Senate and House of Rep-

representatives, proposing an amendment to the Constitution of the United States which shall give the Congress the power to limit, regulate and prohibit the labor of persons under eighteen years of age.

It is requested that you cause this Joint Resolution to be submitted to the Legislature of your State for such action as the Legislature may be pleased to take with respect thereto, and that a certified statement of the result of such action be communicated to the Secretary of State of the United States, in accordance with Section 205, Revised Statutes of the United States.

An acknowledgment of the receipt of the present communication is also requested.

I have the honor to be, Sir,

Your obedient servant,

(Signed) CHARLES E. HUGHES,

Enclosure:

Certified copy of

House Joint Resolution

No. 184.

Sec. 205. Whenever official notice is received at the Department of State that any amendment proposed to the Constitution of the United States has been adopted, according to the provisions of the Constitution, the Secretary of State shall forthwith cause the amendment to be published in the newspapers authorized to promulgate the laws, with his certificate, specifying the States by which the same may have been adopted, and that the same has become valid, to all intents and purposes, as a part of the Constitution of the United States.—Revised Statutes, 1878.

No. 2717

UNITED STATES OF AMERICA  
DEPARTMENT OF STATE

To All to Whom These Presents Shall Come, Greeting:

I Certify that the copy hereto attached is a true copy of a Resolution of Congress, entitled "Joint Resolution Proposing an amendment to the Constitution of the United States, "the original of which is on file in this Department."

In testimony whereof I, Charles E. Hughes, Secretary of State, have hereunto caused the Seal of the Department of State to be affixed and my name subscribed by the Chief Clerk of the said Department, at the City of Washington, this sixth day of June, 1924.

(Signed)

CHARLES E. HUGHES,

(Seal)

Secretary of State.

By EDWIN CARLSON, Chief Clerk.

H. J. Res. 184

SIXTY-EIGHTH CONGRESS OF THE UNITED STATES OF AMERICA;

At the First Session,

Begun and held at the City of Washington on Monday, the third day of December, One Thousand Nine Hundred and Twenty-three.

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JOINT RESOLUTION

Proposing an amendment to the Constitution of the United States.

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Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment

to the Constitution of the United States, which when ratified by the legislatures of three-fourths of the several states, shall be valid to all intents and purposes as a part of the Constitution:

ARTICLE —

“Section 1. The Congress shall have power to limit, regulate, and prohibit the labor of persons under eighteen years of age.

“Sec. 2. The power of the several States is unimpaired by this article except that the operation of State laws shall be suspended to the extent necessary to give effect to legislation enacted by the Congress.”

F. H. GILLETT,

Speaker of the House of Representatives.

ALBERT B. CUMMINS,

President Pro Tempore of the Senate.

I certify that this Joint Resolution originated in the House of Representatives.

WM. TYLER PAGE, Clerk.

The following communications were received from the Senate:

January 12, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Joint Resolution No. 1, introduced by Leuthold, was this day read third time and passed. Title was agreed to and the resolution is herewith submitted to the House for concurrence.

Respectfully,

J. F. CONE, Secretary of Senate.

January 12, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following motion, by Senator Griffin, was this day adopted:

I move you that the President of the Senate appoint committees, no one of which shall consist of more than three members of the Senate, for the purpose of investigating all elective and appointive offices, and to make recommendations as to the appropriations necessary therefor, and needed legislation in regard to the activities thereof. Each committee shall submit its report in writing on or before the thirtieth day of the session.

Respectfully,

J. F. CONE, Secretary of Senate.

January 12, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Notices of Bills were this day given:

By Duncan: “An Act to approve, legalize and adopt as the laws of Montana the Revised Codes of Montana of 1921; prepared by the Code Commissioner appointed by authority of Chapter 195 of the Laws of the Sixteenth Legislative Assembly of 1919.”

By Shelver: “An Act to amend Section 3694 of the Revised Codes of Montana of 1921, as amended by Section 5 of Chapter 77 of the Session Laws of Montana of 1923, relating to fish and game.”

By Porter: “An Act for the submission to the qualified electors of the State of Montana of an amendment to Section 4 of Article XVI of the Constitution of the State of Montana relating to the election of county commissioners; providing for the division of counties into commissioner districts; providing for the election of one commissioner from each of said commissioner districts, and directing the Legislative Assembly of the State of Montana to enact laws as provided in this section.”

By Gilboe: “An Act providing for the creation of commissioner districts within counties and the election of county commissioners from such districts of the several counties in the State of Montana, and repealing all Acts and parts of Acts in conflict with the provisions of this Act.”



By Scofield: "An Act to amend Section 1522 of the Revised Codes of Montana of 1921, increasing the charge for the maintenance of patients, not exceeding the actual cost of maintaining such patients."

By Stewart: "An Act to amend Sections 380, 381, and 383 of the Revised Codes of Montana of 1921, relating to the publishing of the decisions of the Supreme Court, commonly known as the Montana Reports."

Respectfully,

J. F. CONE, Secretary of Senate.

January 12, 1925.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that:

S. B. No. 2, introduced by Leuthold, Speer, Peck, Cowan, Walker and McQuitty: A Bill for an Act entitled: "An Act regulating the fiscal management of, fixing the fiscal year for, and controlling and regulating the raising of revenue and the expenditure thereof during each fiscal year by all counties, cities, towns and consolidated cities and counties, and their institutions and agencies; requiring the making and filing of estimates of probable revenues from all sources and proposed expenditures for all purposes during each fiscal year; providing for the making and filing of provisional budgets, for the publication thereof, for public hearings thereon and for the approval and adoption of annual budgets of expenditures to be made for all purposes during each fiscal year; providing for temporary loans secured by delinquent taxes and the creation of the delinquent tax fund; prescribing the manner of paying claims filed after the expiration of the fiscal year; providing for the raising of revenue, in addition to budget estimates and appropriations, by taxation; providing for the payment of warrant indebtedness outstanding at the close of the fiscal year ending June 30th, 1925; providing penalties for the violation of provisions of this act; and repealing sections 224, 225, 226, 227, 228, 229, 230, 4631, 5217 and 5218 of the Revised Codes of Montana, 1921."

Was read first and second times and referred to Committee on Finance and Claims.

Respectfully,

J. F. CONE, Secretary of Senate.

Moved by Ruffcorn, duly seconded and carried, that communications from Senate be considered read at length.

Moved by Troy, duly seconded and carried, that first communication from Senate be read at length.

The Speaker then announced that Hardcastle would be a member of the Committee on Conservation of Resources and that Hardcastle would be also a member of the Committee on Public Charities and Reforms.

Moved by Ruffcorn, duly seconded and carried, that the House adjourn until 10:00 A. M., Wednesday, January 14.

R. C. BRICKER, Speaker.

Attest: H. J. FAUST, Chief Clerk.

## TENTH DAY

House of Representatives,

Helena, Montana, January 14, 1925.

House met pursuant to adjournment at 10:00 A. M.

Mr. Speaker in the chair.

Prayer by Rev. Hoskins, Chaplain of the Senate.

On roll call, all members present.

The Committee on Journal reported as follows:

Mr. Speaker: We, your Committee on Journal, have this day ex-

amined the Journal for the ninth Legislative day and found the same correct.

PEARL I. SMITH, Chairman.

Moved by Smith of Beaverhead, duly seconded and carried, that report be adopted.

### NOTICES

Authors gave notice that they will on tomorrow or some subsequent day introduce bills as follows:

By Dellwo: A Bill for an Act entitled: "An Act to amend Section 3385 of the Revised Codes of Montana 1921, relating to animals running at large within herd districts."

By Graybill: A Bill for an Act entitled: "An Act repealing Sections 11422 and 11423, of the Revised Codes of Montana of 1921, relating to false advertising of merchandise, and amending Section 11424 of the Revised Codes of Montana of 1921, relating to false advertising."

By Brandt and Nelson: A Bill for an Act entitled: "An Act to amend Section 8259 of the Revised Codes of Montana of 1921, relating to assignment of mortgages and requiring that assignments of mortgages shall contain the post office address of the assignee, and prohibiting the recording thereof unless containing such post office address."

By Meagher and Merritt: A Bill for an Act entitled: "An Act fixing bounties upon certain predatory animals; prescribing the manner in which said bounties shall be paid, appointing bounty inspectors; prescribing the form of affidavit for bounty claim; creating a state bounty fund; providing for the disposition of surplus funds; declaring the false making, altering, figuring or counterfeiting of any certificate or claim or order to be forgery and providing a penalty therefor; making other violations of this Act a misdemeanor and providing a penalty therefor; and repealing Chapter 73 of the Laws of the Eighteenth Assembly and amending Section 2081, Revised Codes of Montana, 1921, as amended by Chapter 73, Laws of the Eighteenth Legislative Assembly."

By Keeley: A Bill for an Act entitled: "An Act relating to salaries, office hours and quarters of justices of the peace in certain townships and amending Section 4929 of the State of Montana for 1921, being a part of Chapter 35, of Part IV of the Political Code of the State of Montana of 1921, entitled: 'Salaries and Fees of County Officers and Deputies, Jurors and Witnesses.'"

By Flynn: A Bill for an Act entitled: "An Act to amend Section 11426 of Chapter 46 of the Revised Codes of Montana of 1921, burning or destroying property insured."

By Flynn: A Bill for an Act entitled: "An Act prescribing the powers and duties of the State Fire Marshal, amending Section 2737, Chapter 209." "Creation of office of State Fire Marshal and establishing the duties."

By Wuerthner: A Bill for an Act entitled: "An Act to amend Section 4916 of the Revised Codes of Montana 1921, relating to fees of sheriffs."

By Troy: A Bill for an Act entitled: "An Act to amend Section 632 of the Revised Codes of Montana of 1921, relating to the date of holding primary elections."

By Ainsworth: A Bill for an Act entitled: "An Act to amend Section 4736 of the Revised Codes of Montana of 1921, relating to the opening and closing of certain county offices, and repealing all Acts and parts of Acts in conflict herewith."

By Ainsworth: A Bill for an Act entitled: "An Act to amend Sections 8883, 8885, 8886, 8887, and 8889 of Chapter 13 and Section 8890 of Chapter 14 of the Revised Codes of Montana of 1921, defining different kind of juries and relating to the qualifications of a juror, providing

a particular time when the Act shall take effect, and repealing all Acts and parts of Acts in conflict herewith."

By Ainsworth: A Bill for an Act entitled: "An Act to amend Sections 12092, 12484, and 12485 of the Revised Codes of Montana of 1921, and to add one new section to be designated Section 12485A, relating to imprisonment at hard labor in all cases of conviction for felony or misdemeanor where sentence of imprisonment is imposed; providing that persons confined in county jails under a judgment of imprisonment rendered in a criminal action or proceeding shall be required to perform hard labor; providing that Board of County Commissioners shall prescribe and enforce rules and regulations under which such labor shall be performed; and providing that a county jail shall extend to and over any place or places of employment of the persons confined therein under a judgment of imprisonment in a criminal action or proceeding, in the county where such jail is situated; and repealing all Acts and parts of Acts in conflict herewith."

By Loble and Keeley: A Bill for an Act entitled: "An Act to repeal Section 10761 of the Revised Codes of Montana 1921, relating to furnishing entertainment for the electors."

By Kennedy: A Bill for an Act entitled: "An Act to amend Section 4885 of the Revised Codes of Montana 1921, relating to mileage and expenses of sheriffs."

#### REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received:

Mr. Speaker: We, your Committee on Irrigation, having had under consideration House Joint Memorial No. 1, respectfully report as follows: That same do pass.

G. B. STRANGE, Chairman.

Moved by Strange, duly seconded and carried, that report be adopted.

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration House Bill No. 25, respectfully report as follows: That House Bill No. 25 do not pass.

HARRIS, Chairman.

Moved by Harris that report be adopted.

Substitute motion by Anderson, duly seconded and carried, that House Bill No. 25 be recommitted to Committee on Privileges and Elections for further consideration.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 12, respectfully report as follows: That House Bill No. 12 do not pass.

BURNS, Chairman.

Moved by Burns that report be adopted.

Substitute motion by Loble that House Bill No. 12 be printed and placed on General Orders.

Substitute motion by Holt, to substitute motion, duly seconded and carried, that Bill No. 12 be re-referred to Judiciary Committee in order to permit Mr. Loble to appear before the committee and explain his bill.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 27, respectfully report as follows: That House Bill No. 27 do not pass.

BURNS, Chairman.

Moved by Burns, duly seconded and carried, that report be re-referred to Judiciary Committee to permit Mr. Loble, the introducer of the bill, to appear before the committee and explain his bill.



Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration House Bill No. 28, respectfully report as follows: That House Bill No. 28 be referred to Judiciary Committee.

HARRIS, Chairman.

Moved by Harris, duly seconded and carried, that report be adopted.

January 13, 1925.

To the Speaker of the House of Representatives of the Nineteenth Legislative Assembly of the State of Montana:

Dear Sir:

We, the members of the Judiciary Committee, to whom the communication dated January 3, 1925, from R. J. Woods, Representative-elect from Petroleum county and addressed to the House of Representatives at Helena, Montana, was referred, report as follows:

That it is the opinion of this committee that under Section 4395 of the Revised Codes of Montana of 1921, that Mr. Woods will take office on February 22d, 1925.

Respectfully submitted,

BURNS, Chairman.

Moved by Burns, duly seconded and carried, that the report be adopted.

January 13, 1925.

Mr. Speaker: We, your Committee on Employment, beg to advise that at a meeting held at 1:30 P. M. today, the following assignment was made:

Committee: Constitutional Amendments, Public Safety; clerk: Bessie Mann.

DAVIS, Chairman.

Moved by Davis, duly seconded and carried, that the report be adopted.

January 13, 1925.

Mr. Speaker: We, your Committee on Employment, recommend the appointment of the following:

Stenographers—Ellen O'Shea, Dorothy Carroll, Bessie Mann.

DAVIS, Chairman.

Moved by Davis, duly seconded and carried, that the report be adopted.

#### INTRODUCTION OF BILLS AND MEMORIALS

The following bills were introduced, read first and second times by title only and referred to committees as follows:

H. B. No. 44, by Ainsworth: A Bill for an Act entitled: "An Act to amend Chapter 53 of the Session Laws of Montana of 1923, giving to the judges of the district courts of the State of Montana jurisdiction to render and sign judgments and make findings and render and sign decrees, make orders and rulings on demurrers and motions, make orders to show cause and all ex-parte orders, in chambers anywhere within the State of Montana and repealing all Acts and parts of Acts in conflict herewith." Referred to Judiciary Committee.

H. B. No. 45, by Ainsworth: A Bill for an Act entitled: "An Act relating to bank depository bonds with personal sureties thereon and providing for the acceptance of notes properly secured in settlement of liability, and repealing all Acts and parts of Acts in conflict herewith." Referred to Townships and Counties.

H. B. No. 46, by Dellwo: A Bill for an Act entitled: "An Act to amend Section 3704 of the Revised Codes of Montana 1921 as amended by Section 14, Chapter 77, of the Laws of the 18th Legislative Assembly of Montana 1923 relating to open season on fur-bearing animals." Referred to Fish and Game Committee.

H. B. No. 47, by Graybill: A Bill for an Act entitled: "An Act amending Section 8286 of the Revised Codes of Montana of 1921, which relates to the execution of a power of sale contained in a mortgage of personal property by providing for attorney's fees when such power of sale is executed." Referred to Judiciary Committee.

H. B. No. 48, by Lincoln: A Bill for an Act entitled: "An Act to amend Section 11186 of the Revised Codes of Montana and Chapter 34 Revised Codes of Montana 1921 relating to pawnbrokers." Ways and Means Committee.

H. B. No. 49, by Duncan: A Bill for an Act entitled: "An Act to amend Section Number 1686 of the Revised Codes of Montana, 1921, regulating the letting of contracts for the improvement and construction of highways." Referred to Highways Committee.

H. B. No. 50, by Parkin: A Bill for an Act entitled: "An Act to amend Section 916 of the Revised Codes of Montana of 1921, relating to expenses of the State Entomologist." Referred to Appropriations Committee.

H. B. No. 51, by Flachsenhar and Donaldson: A Bill for an Act entitled: "An Act to repeal Section 4807 and amend Section 4808 of the Revised Codes of Montana of 1921, relating to searches by the county clerk and duties pertaining thereto." Judiciary Committee.

H. B. No. 52, by Duncan: A Bill for an Act entitled: "An Act to amend Section 5039 of the Revised Codes of Montana of 1921, relating to the powers of city councils, by inserting in paragraph No. 45 thereof, after the word "Place" in the first line the words "Within Or," and by adding a new paragraph thereto to be known as paragraph "83" giving the city and town councils power to declare and determine what vegetation, within the city or town, shall be noxious weeds, and to provide the manner in which they shall be exterminated and for levying the cost of such extermination or removal as a special tax against the property." Affairs of Cities Committee.

H. B. No. 53, by Cusick: A Bill for an Act entitled: "An Act amending Section 985, of the Revised Codes of Montana of 1921, relating to the qualifications of school trustees." Referred to Education Committee.

H. B. No. 54, by Andrus, Davis, Bergstrom, Nelstead, Holton, Flynn: A Bill for an Act entitled: "An Act establishing the Eastern Montana State Normal College, defining the objects of its establishment, providing for the control, supervision and management thereof, and making the same a part of the University of Montana, and making an appropriation for renting, acquiring and equipping the necessary buildings therefor, and for the support, equipment and maintenance of said college." Referred to State Institutions etc. Committee.

H. B. No. 55, by Hanson, Albert Johnson, Walton and Johnson of Valley: A Bill for an Act entitled: "An Act to amend Chapter XXXII of the Session Laws of 1923 amending Section 8275 of the Revised Codes of Montana of 1921, relating to chattel mortgages."

H. B. No. 56, by Holt: A Bill for an Act entitled: "An Act to amend Section 1010 of the Revised Codes of Montana of 1921, as amended by Chapter 70 of the Session Laws of the Eighteenth Legislative Assembly of 1923, relating to transportation of pupils." Referred to Education Committee.

H. B. No. 57, by Moss: A Bill for an Act entitled: "An Act to amend Section 11956 of the Revised Codes of Montana of 1921 relating to the number of peremptory challenges of jurors allowed the state in the trial of criminal cases." Referred to Judiciary Committee.

H. B. No. 58, by Anderson: A Bill for an Act entitled: "An Act to amend Section 123 of the Revised Codes of Montana of 1921, relating to consolidated clerkships." Referred to State Boards and Officers Committee.

H. B. No. 59, by Flachsenhar and McAfee: A Bill for an Act en-

titled: "An Act to amend Section 651 of the Revised Codes of Montana as amended by Section 1, Chapter 633 of the Laws of the Eighteenth Legislative Assembly of 1923, relating to arrangement, printing and voting of ballots at primary elections." Referred to Privileges and Elections Committee.

H. B. No. 60, by Loble: A Bill for an Act entitled: "An Act to repeal Section 11504 of the Revised Codes of Montana 1921, relating to driving a team on a sidewalk." Referred to Public Safety Committee.

H. B. No. 61, by Hoffman: A Bill for an Act entitled: "An Act to repeal Chapter 63 of the Laws of the Eighteenth Legislative Assembly of the State of Montana." Referred to Revenue and Taxation Committee.

H. B. No. 62, by Joffray: A Bill for an Act entitled: "An Act to amend Sections 12103 and 12104 of the Revised Codes of the State of Montana, 1921, relative to the imposition of the death penalty providing where said execution shall take place and designating the person who shall inflict the death penalty and providing for the return upon the death warrant." Referred to Ways and Means Committee.

H. B. No. 63, by Eaton, Hoffman, Leavens, Gordon, Wold, Plumer, Fairgrieve, Merritt, Rupert, Fletcher: A Bill for an Act entitled: "An Act to establish the Eastern Montana State Normal School; defining its objects; designating the manner of its location; providing for the control, supervision and management thereof, amending Section 841 of the Revised Codes of Montana, 1921, so as to place the institution under the control of the State Board of Education, and amending Section 852 of the Revised Codes of Montana, 1921, so as to make said school a part of the University of Montana, and providing for the selection of a site for the said school." Referred to State Institutions Committee.

## MOTIONS AND RESOLUTIONS

Senate Joint Resolution No. 1, introduced by Leuthold, read first and second times in full and referred to Appropriations Committee:

Senate Joint Resolution No. 1, introduced by Leuthold:

Be It Resolved, By the Senate of the State of Montana, the House of Representatives concurring:

Section 1. That Whereas, the Republican party of the State of Montana has sponsored a program of legislative economy in its platform in the campaign of the year 1924; and whereas, the members of the Senate and the House of Representatives of the State of Montana are now committed to a policy of economy during the Legislative Session of 1925; and whereas, it has been the practice heretofore for members of either house of the Legislative Assembly of the State of Montana to absent themselves from attendance upon legislative duties for many days and sometimes weeks during the Legislative Session.

Section 2 Now, Therefore, Be It Resolved, That if any member of either the Senate, or the House of Representatives of the State of Montana, shall absent himself from attendance upon the Session of the State Legislature during the Nineteenth Legislative Session for a period of more than five (5) days in succession that he shall not receive any compensation for the days in excess of said five days that he shall be absent.

Section 3. Absence from attendance upon Legislative Sessions on account of sickness shall be considered as a sufficient excuse for non-attendance and no deductions in compensation shall be made from any member's per diem on account of absence by reason of sickness.

Section 4. This resolution shall be in full force and effect from and after its passage and approval by both Houses and filed with the Secretary of State.



## CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

The following messages were received from the Senate:

Helena, January 13, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that on motion of Senator Hazelbaker, the Sergeant at Arms was instructed to have one hundred paper backed copies of the Rules of the Senate prepared for the benefit of the new members of the Senate.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, January 13, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Finance and Claims, having had under consideration Senate Bill No. 2, introduced by Leuthold, Speer, Peck, Cowan, Walker and McQuitty, recommend that same be printed and then re-referred to Committee on Finance and Claims.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, January 13, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Employment Committee recommends the appointment of the following stenographers:

Dorothy Y. Bevans, Mamie Merrium, Mavis Hoagland, Mary Crowley.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, January 13, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Committees reports the following appointments:

Agriculture—McCone, chairman; Buttelman, Cowan, Gilboe, Greenup, Griffin, Peden, Schnitzler, McQuitty.

Appointment and Representation—Scofield, chairman; Leighton, Garber, Schnitzler.

Compensation—Mears, chairman; Peden, Demel, Muffly, Oliver.

Corporations Other Than Municipal—Adams, chairman; Greenup, Leighton, McCabe, Taylor, Shelver, Peden, Muffly.

Counties and Towns—Pauline, chairman; Adams, Dowlin, Oliver, Dell, Watson, Spencer, Smith, Muffly.

Judicial District—Pomeroy, chairman; Buttleman, McCabe, McCormick, Watson.

Labor and Capital—Brownlee, chairman; Conser, Griffin, Henderson, McCormick, Taylor, Porter.

Libraries—Swift, chairman; Taylor, Porter.

Engrossed Bills—McCabe, chairman; Dowlin, Dell.

Enrolled Bills—Gilboe, chairman; Staggs, Buttleman.

Fairs and Expositions—Survant, chairman; Griffin, Church, Garber, Delaney.

Federal Relations—Smith, chairman; Swift, McCone, Mears, Peterson, Scofield.

Fish and Game—Cooper, chairman; Rhoads, Brownlee, McCormick, Pauline, Page, Church.

Horticulture—Pomeroy, chairman; Watson, Garber, Kane.

Immigration—Corrington, chairman; Delaney, McCone, Spencer, Survant.

Public Buildings—Staggs, chairman; Brownlee, Gilboe, Leighton, Clark, Leuthold, Page.

Public Lands—Peden, chairman; Scofield, Peterson, Mears, Griffin, Green, Dell.

Military Affairs—Shelver, chairman; McQuitty, Garber, Dell.

Mines and Mining—McCormick, chairman; Cooper, Peck, Spencer, Page, Green, Muffly.

New Counties and Divisions—Cowan, chairman; Schnitzler, Leuthold, Delaney, Clark.

Oils and Leases—Leuthold, chairman; Gilboe, Henderson, McCabe, Clark, Green, Peck.

Public Morals—Taylor, chairman; Buttelman, Delaney, Leighton, Scofield.

Sanitary Affairs—Linn, chairman; Delaney, Clark.

Stock Growing and Grazing—Dowlin, chairman; Survant, Henderson, McCone, Mears, Scofield, Brownlee, Peden, Delaney.

Constitutional Amendment—Greenup, chairman; Swift, Church.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, January 13, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following bills were this day introduced:

S. B. No. 4, introduced by Porter: A Bill for an Act entitled: "An Act for the submission to the qualified electors of the State of Montana of an amendment to Section 4 of Article XVI of the Constitution of the State of Montana relating to the election of county commissioners; providing for the division of counties into commissioner districts; providing for the election of one commissioner from each of said commissioner districts, and directing the Legislative Assembly of the State of Montana to enact laws as provided in this section." Referred to Committee on Constitutional Amendments.

S. B. No. 5, by Gilboe: A Bill for an Act entitled: "An Act providing for the submission to the qualified electors of the State of Montana of an amendment to Section Four of Article XVI of the Constitution, relating to county commissioners." Referred to the Committee on Constitutional Amendments.

S. B. No. 6, by Duncan: A Bill for an Act entitled: "An Act to approve, legalize and adopt as the laws of Montana the Revised Codes of Montana of 1921, prepared by the code commissioner appointed by authority of Chapter 195 of the Laws of the Sixteenth Legislative Assembly of Montana of 1919." Referred to Judiciary Committee.

S. B. No. 3, by Scofield: "An Act to amend section 1522 of the Revised Codes of Montana of 1921, increasing the charge for the maintenance of patients at the Tuberculosis Sanitarium to an amount not exceeding the actual cost of maintaining such patients." Referred to Committee on Finance and Claims.

Senate Joint Resolution No. 2, by Scofield: "A Joint Resolution memorializing the Congress of the United States to modify the present reclamation policy." Referred to Irrigation Committee.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, January 13, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Select Committees were appointed by the President of the Senate in compliance with the motion of Senator Griffin:

Livestock Sanitary Board—Peck, chairman; Henderson, Dowlin.

Treasurer's Office—Corrington, chairman; Schnitzler.

Attorney General's Office and Supreme Court—Duncan, chairman; Pomeroy, Demel.

State Auditor's Office—Speer, chairman; Leuthold, McQuitty.

Railroad Commission, Public Utilities, Irrigation—Walker, chairman; Peden, Cowan.

Banks and Banking—Schnitzler, chairman; Clark, Scofield.

Secretary of State—Peterson, chairman; McCormick, Green.

Department of Agriculture—McCone, chairman; Buttelman, Greenup.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, January 13, 1925.

Mr. Speaker: I have been directed by the Senate to inform your Honorable Body that the following Notices of Introduction of Bills were this day given:

By Shelver: "An Act to regulate the occupations of barbering, conducting barber schools, hair dressing and beauty parlor work, and requiring all who work at such occupations to first obtain a license therefor, and requiring that said practitioners shall have an examination before they shall carry on said work; to create a Board of Examiners and provide for the appointment of said Board; to authorize rules regulating the proper sanitation of barber shops, barber schools, beauty parlors and hair dressing establishments; to prevent the spreading of communicable diseases; to give said Board the power to make examinations of such establishments as are covered by this Act, to ascertain the sanitary condition thereof; to give to said Board the power to revoke licenses; and to provide and fix penalties for violation of any of the terms of this Act."

By Church: "An Act extending the privilege of continual succession to corporations organized prior to the fifth day of March, 1903, for religious, social and benevolent purposes."

By Dowlin: "An Act to amend Chapter 30 of the Laws of the Eighteenth Legislative Assembly, relating to the publication of the report of the State Examiner, covering the examination of the various county officers."

By Henderson: "An Act to amend Section 8259 of the Revised Codes of 1921 of the State of Montana, relating to the recording of assignment of mortgages."

By Dell: "An Act to amend Section 4482, Revised Codes of Montana of 1921, relating to contracts for county printing."

By Paul: "An Act to amend Section 11956 of the Revised Codes of the State of Montana of 1921, being a part of Chapter 24, of Part II, of the Penal Code of the State of Montana, relating to challenging of the jury."

By Paul: "An Act to amend Section 12177 of the Montana Codes of 1921, being a part of Chapter 40 of Part Two of the Penal Code of the State of Montana, relating to who may be witnesses in criminal actions, said Section 12177 relating particularly to when the defendant is not a competent witness and when he may testify."

By Pauline: "An Act amending Section 11084 of the Revised Codes of Montana of 1921, as amended by Chapter 116 of the Laws of the Eighteenth Legislative Assembly of the State of Montana, relating to law enforcement fund."

By Garber: "An Act to amend Chapter 67 and Section 853, Revised Codes of Montana, 1921, relating to the University of Montana."

By Watson: "An Act requiring any person, railway corporation or company operating a line of railway in the State of Montana, to equip



its locomotive tenders with electric headlights of not less than five hundred (500) candle power without the aid of a reflector or other headlights of not less than five hundred (500) candle power without the aid of a reflector, and providing a penalty for the violation of this Act."

By Walker: "An Act to amend Section 11085 of the Revised Codes of Montana, 1921, relating to appointment, oath and removal of special officers."

Respectfully,

J. F. CONE, Secretary of Senate.

Moved by Ruffcorn, duly seconded and carried, that messages from Senate be considered read at length.

There being no objections, House reverted to Order of Business No. 2:

#### NOTICES

Authors gave notice that they would tomorrow or some subsequent day introduce a bill as follows:

By Graybill and Lincoln: A Bill for an Act entitled: "An Act amending Section 1783 of the Revised Codes of Montana of 1921 relating to the State Highway Commission and Commissioner, creation, salary, bond and term."

Moved by Ruffcorn, duly seconded and carried, that House adjourn until 2:00 P. M.

#### AFTERNOON SESSION

House resumed at 2:00 P. M.

Mr. Speaker in the chair.

#### NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce bills as follows:

By Larson (Robt.): A Bill for an Act entitled: "A Bill for an Act providing for abolishing the office of Railroad Commissioners and the Board of Railroad Commissioners of the State of Montana, and their salaries; transferring their duties to a Board composed of the Governor, State Treasurer and Attorney General to act without additional compensation; prohibiting free transportation of members and employees thereof; repealing Section 3779 and amending Sections 3784 and 3785 Revised Codes of Montana of 1921."

By Beadle, Mulholland and Fitzgerald: A Bill for an Act entitled: "An Act to amend Section 9256 of the Revised Codes of Montana of 1921 relating to writs of attachment and when attachments may issue and repealing all Acts and parts of Acts in conflict herewith."

By McCarty: A Bill for an Act entitled: "An Act to amend Section 933, Chapter 75, of the Revised Codes of Montana, 1921, relating to the official staff of the Superintendent of Public Instruction."

By Kelly: A Bill for an Act entitled: "An Act to amend Sections 1755, 1756, 1757, 1758, 1759, 1760 and 1761 Revised Codes of Montana 1921, relating to the registration and identification of motor vehicles and operators thereof."

By Kelly: A Bill for an Act entitled: "An Act relating to assessments made by the State Board of Equalization and repealing Sections 2134 and 2145 Revised Codes of Montana 1921."

By Kelly: A Bill for an Act entitled: "An Act to amend Section 2131 Revised Codes of Montana, 1921, relating to the assessment of railroads."

By Rice: A Bill for an Act entitled: "An Act to amend Section 4814 of the Revised Codes of Montana of 1921, relating to the annual report of county clerks."

By Rice: A Bill for an Act entitled: "An Act to amend Section 2174 of the Revised Codes of Montana of 1921, as amended by Chapter 96 of the Laws of the Eighteenth Legislative Assembly, relating to the quarterly settlement of the county treasurer."

### REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received:

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 8, introduced by Loble, a Bill for an Act entitled: "An Act to repeal Section 11527 of the Revised Codes of Montana, 1921, relating to insulting school teachers," respectfully report as follows: That House Bill No. 8 do not pass.

C. T. EATON, Chairman.

Moved by Eaton, duly seconded, that report be adopted.

Substitute motion by Loble that House Bill No. 8 be printed.

Division called for.

Question arising on substitute motion by Loble, same carried and Bill No. 8 was ordered printed.

Mr. Speaker: We, your Committee on State Institutions and Public Buildings, having had under consideration House Joint Resolution No. 2, respectfully report as follows: That the resolution pass the committee unanimously.

J. J. BERRYMAN, Chairman.

Moved by Berryman, duly seconded and carried, that the report be adopted.

### CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

The following communications were received from the Senate:

Moved by Ruffcorn, duly seconded and carried, that messages from the Senate be considered read at length and that the Journal so show.

Helena, Montana, January 14, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Notice of Bill was this day given:

By Leuthold: "An Act to regulate the drilling and operation of oil and gas wells, relating to the conservation of oil and natural gas, providing for the administration of the Act by the Board of Railroad Commissioners of the State of Montana, and repealing Sections 3547, 3548, 3553 and 3554 of the Revised Codes of Montana, 1921."

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, January 14, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Investigation Committees were appointed by the President:

Superintendent of Public Instruction—Conser, chairman; Speer, Staggs.

State Land Office—Griffin, chairman; Peterson, Porter.

State Engineer—Schnitzler, chairman; McCabe, Shelver.

Chancellor's Office—Schellenger, Delaney, Demel.

State Insane Asylum, State Board of Health—Clarke, chairman; Dell, Rhoads.

Industrial Accident Board—Page, chairman; Kane, Pauline.

Board of Equalization—Brownlee, chairman; Dowlin, Watson.

Board of Examiners—Swift, chairman; Taylor, Smith.

School of Deaf and Blind, State Vocational School for Girls—Garber, chairman; Oliver, Peden.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, January 14, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following bills were this day introduced:

S. B. No. 7, by Committee on Finance and Claims: A Bill for an Act entitled: "An Act to amend Section 287, Revised Codes of Montana, 1921, relating to the State Purchasing Department." Referred to Committee on Printing.

S. B. No. 8, by Paul: A Bill for an Act entitled: "An Act to amend Section 12177 of the Revised Codes of Montana of 1921, being a part of Chapter 40 of Part Two of the Penal Code of the State of Montana, relating to who may be witnesses in criminal actions, said Section 12177 relating particularly to when the defendant is not a competent witness and when he may testify." Referred to Judiciary Committee.

S. B. No. 9, by Paul: A Bill for an Act entitled: "An Act to amend Section 11956 of the Revised Codes of the State of Montana of 1921, being a part of Chapter 24, of Part 11, of the Penal Code of the State of Montana, relating to challenging of the jury." Referred to Judiciary Committee.

S. B. No. 10, by Shelver and Delaney: "A Bill for an Act to amend Section 3694 of the Revised Codes of Montana of 1921, as amended by Section 5 of Chapter 77 of the Session Laws of Montana of 1923, relating to fish and game." Referred to Committee on Fish and Game.

S. B. No. 11, by Walker: A Bill for an Act entitled: "An Act to amend Section 11085 of the Revised Codes of Montana, 1921, relating to appointment, oath and removal of special officers." Referred to Judiciary Committee.

S. B. No. 12, by Henderson: A Bill for an Act entitled: "An Act to amend Section 8259 of the Revised Codes of Montana, 1921, relating to the recording of assignment of mortgages and repealing all Acts and parts of Acts in conflict herewith." Referred to Judiciary Committee.

S. B. No. 13, by Dowlin: A Bill for an Act entitled: "An Act to amend Chapter 30 of the Laws of the Eighteenth Legislative Assembly, relating to the publication of the report of the State Examiner, covering the examination of the various county officers." Referred to Judiciary Committee.

S. B. No. 14, by Watson: A Bill for an Act entitled: "An Act requiring any person, railway corporation or company operating a line of railway in the State of Montana, to equip its locomotive tenders with electric headlights of not less than five hundred (500) candle power without the aid of reflector or other headlights of not less than five hundred (500) candle power without the aid of a reflector, and providing a penalty for the violation of this Act." Referred to committee on Railroads and Transportation.

Respectfully,

J. F. CONE, Secretary of Senate.

Moved by Zeh, duly seconded and carried, to revert to Order of Business No. 6:

#### MOTIONS AND RESOLUTIONS

Moved by Zeh, duly seconded and carried, that the number of copies of House bills printed be increased from 500 to 600 copies.

There being no objections, House reverted to Order of Business No. 5:



### • INTRODUCTION OF BILLS AND MEMORIALS

The following memorial was introduced, read first and second times, and referred to Federal Relations Committee:

House Memorial No. 1, introduced by McCarty: House Memorial entitled: "Memorial to the Congress of the United States asking it to ratify the protocol calling for an international conference for arbitration and disarmament of nations to be held in Geneva on June 15, 1925."

Moved by Ruffcorn, duly seconded and carried, that House recess subject to call of Speaker in order to have picture taken.

House resumed.

Mr. Speaker announced that White of Richland had been added to Committee on Dairying.

Moved by Ruffcorn, duly seconded and carried, that House adjourn until 10:30 Thursday, January 15, 1925.

R. C. BRICKER, Speaker.

Attest: H. J. FAUST, Chief Clerk.

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### ELEVENTH DAY

House of Representatives,  
Helena, Montana, January 15, 1925.

House met pursuant to adjournment at 10:30 A. M.

Mr. Speaker in the chair.

Prayer by Chaplain.

On roll call all present except Caplis, and Hawley, who was excused until Friday, January 16, 1925.

The following report was received from the Journal Committee:

Mr. Speaker: We, your Committee on Journal, have this day examined the Journal for the tenth Legislative day and found same correct.

PEARL I. SMITH, Chairman.

Moved by Smith, duly seconded and carried, that report be adopted.

The following telegram was presented by Keeley:

Deer Lodge, Montana, January 14, 1925.

Representative Keeley, Helena, Montana:

The Rotary Club of Deer Lodge by resolution most earnestly protests against the enactment of any law that will provide for execution of criminals at the state prison at Deer Lodge. We ask you to oppose such measure with all your strength.

SECRETARY.

### NOTICES

Authors gave notice that they will on tomorrow or some subsequent day introduce bills as follows:

By Holt: A Bill for an Act entitled: "An Act to amend Article 12 of the Constitution of the State of Montana relating to revenue and taxation by adding a new section thereto, providing for the levying of taxes for the purpose of insuring growing crops against loss or damage by hail."

By Flynn: A Bill for an Act entitled: "An Act to amend Section 6121 of the Revised Codes of Montana, 1921, prohibiting discrimination in favor of individuals by insurance companies organized under the laws of Montana; prohibiting terms and conditions of contracts aside from those expressed in the policy and forbidding rebate of premium."

By Budas: A Bill for an Act entitled: "An Act fixing the per diem and compensation of county surveyors."

By Graybill: A Bill for an Act entitled: "An Act to repeal Sections 3947 to 3952, Revised Codes, Montana, 1921, creating the Montana Irrigation Commission and making the Board of Railroad Commissioners of the State of Montana Ex-Officio the Montana Irrigation Commission thereby created and providing against the repeal or amendment of Sections 3953 to 4025, inclusive, Revised Codes Montana 1921 by this repealing Act."

By Miller: A Bill for an Act entitled: "An Act to amend Section 1, of Chapter 7, of the Session Laws of the State of Montana, of 1923."

By Judiciary Committee: A Bill for an Act entitled: "An Act to amend Sections 8812 and 8813 of the Revised Codes of Montana of 1921, relating to the judicial districts of the State of Montana and the judges thereof; providing the number of such judicial districts; providing when the said judicial districts shall come into existence and providing for the nomination and election of the judges thereof for the next general election."

By Hedrick: A Bill for an Act entitled: "An Act providing for a lien upon personal property for services performed by agricultural and farm laborers."

By Beadle: A Bill for an Act entitled: "An Act to provide for the periodical inspection of elevators operated in places of employment in this State; to require a safety certificate for such operation; to make it a misdemeanor to operate such elevator without such certificate; to provide for an injunction against such operation if dangerous to the life or safety of employees; to vest in the industrial accident board the power to make such inspection, and determine the competency of inspectors, and require reports of inspections; to issue such certificates and prescribe maximum fees therefor; and to require that the erecting plan of every elevator hereafter installed be submitted for approval to the industrial accident board."

By Beadle: A Bill for an Act entitled: "An Act to amend Section 2849 of Chapter 213 Revised Codes of Montana, 1921, known as the Workmen's Compensation Act, relating to and defining inherently hazardous occupations."

## REPORTS OF STANDING COMMITTEES

The following reports were received from standing committees:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 17, introduced by Keeley, a Bill for an Act entitled: "An Act to amend Section 8868 of the Revised Codes of Montana of 1921, which section is contained in Chapter 10 of Part I of the Code of Civil Procedure of the State of Montana, and which relates to the disqualification of judicial officers," respectfully report as follows: That House Bill No. 17 do not pass.

BURNS, Chairman.

Moved by Burns, duly seconded, that report be adopted.

Substitute motion by Keeley, duly seconded and carried, that House Bill No. 17 be re-referred to Judiciary Committee for amendment.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 27, introduced by Loble, a Bill for an Act entitled: "An Act to repeal Section 11514 of the Revised Codes of Montana, 1921, relating to promoting fights between cocks, birds, dogs, bulls and bears," respectfully report as follows: That House Bill No. 27 do not pass.

BURNS, Chairman.

Moved by Burns, duly seconded, that report be adopted.

Substitute motion by Nagle, duly seconded, that adoption of report by Judiciary Committee on House Bill No. 27 be deferred until Mr. Loble, introducer of the bill, may be present.

Substitute motion by Keeley, duly seconded, that bill be printed.

Nagle, with consent of his second, withdrew his motion that adoption of report by Judiciary Committee be deferred.

Question arising on motion by Keeley that bill be printed, same failed. Division called for.

Question arising on original motion of Burns that report be adopted, same carried.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 5, introduced by Beadle, a Bill for an Act entitled: "An Act providing for the examination of an adverse party in civil actions or proceedings, including the officers and agents of a corporation party to an action on proceedings; regulating the manner of such examination and effect thereof and providing for a repeal of all Acts or parts of Acts in conflict herewith," respectfully report as follows: That House Bill No. 5 do pass.

BURNS, Chairman.

Moved by Burns, duly seconded and carried, that report be adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 14, introduced by Nagle, a Bill for an Act entitled: "An Act to amend Section 10178 of the Revised Codes of Montana, 1921, relating to the time within which actions must be commenced on claims against an estate rejected by the executor or administrator," respectfully report as follows: That House Bill No. 14 be amended as follows:

By striking out all that portion of Section 1 of said bill commencing with the words, "the holder" in line 5 thereof, and ending with the words, "then due" in line 10 thereof, and by inserting in lieu thereof the following: "written notice of such rejection shall be given in the manner provided for in Sections 9778 to 9781 inclusive of the Revised Codes of Montana of 1921, by the executor or administrator, to the holder of such claim or to the person filing or presenting the same, and the holder must bring suit in the proper court against the executor or administrator within three months after the date of service of such notice, if the claim be then due."

And that as amended the bill do pass.

BURNS, Chairman.

Moved by Burns, duly seconded and carried, that report be adopted.

January 15, 1925.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration Senate Joint Resolution No. 1, introduced by Leuthold, reading in part that Whereas, the Republican and Democratic parties of Montana have sponsored a program of legislative economy in its platform in the campaign of the year 1924, etc., respectfully report as follows: That Senate Joint Resolution No. 1 do pass.

WOLD, Chairman.

Moved by Wold, duly seconded and carried, that report be adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 50, introduced by Parkin, a Bill for an Act entitled: "An Act to amend Section 916 of the Revised Codes of Montana of 1921, relating to expenses of the State Entomologist," respectfully report as follows: That House Bill No. 50 do pass.

WOLD, Chairman.

Moved by Wold, duly seconded and carried, that report be adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 11, a Bill for an Act entitled: "An Act to amend Section 6079 of the Montana Revised Codes of 1921, relating to the appointment of receiver for insolvent bank," respectfully report as



follows: That House Bill No. 11 be re-referred to Committee on Banks and Banking.

TROY, Chairman.

Moved by Troy, duly seconded and carried, that report be adopted.

### INTRODUCTION OF BILLS AND MEMORIALS

The following bills were introduced, read first and second times by title only and referred to committees as follows:

H. B. No. 64, by Brandt and Nelson: A Bill for an Act entitled: "An Act to amend Section 8259 of the Revised Codes of Montana of 1921, relating to assignment of mortgages and requiring that assignments of mortgages shall contain the post office address of the assignee, and prohibiting the recording thereof unless containing such post office address." Referred to Judiciary Committee.

H. B. No. 65, by Graybill: A Bill for an Act entitled: "An Act repealing Sections 11422 and 11423 of the Revised Codes of Montana of 1921, relating to false advertising of merchandise, and amending Section 11424 of the Revised Codes of Montana of 1921, relating to false advertising." Referred to Judiciary Committee.

H. B. No. 66, by Flachsenhar: A Bill for an Act entitled: "An Act to amend Sections 640 and 652 of the Revised Codes of Montana and repealing such portion of Section 1 of Chapter 133 of the State of Montana of 1923 as amending said sections, all relating to primary elections." Referred to Privileges and Elections Committee.

H. B. No. 67, by Larson (Robt.): A Bill for an Act entitled: "A Bill for an Act providing for abolishing the office of railroad commissioners and the Board of Railroad Commissioners of the State of Montana, and their salaries; transferring their duties to a board composed of the Governor, State Treasurer and Attorney General; to act without additional compensation; prohibiting free transportation of members and employees thereof; repealing Section 3779 and amending Section 3784 and 3785 Revised Codes of Montana of 1921. Referred to Railways and Transportation Committee.

H. B. No. 68, by Ainsworth: A Bill for an Act entitled: "An Act to amend Section 4736 of the Revised Codes of Montana of 1921, relating to the opening and closing of certain county offices and repealing all Acts and parts of Acts in conflict herewith." Referred to Townships and Counties Committee.

H. B. No. 69, by Ainsworth: A Bill for an Act entitled: "An Act to amend Sections 12092, 12484, and 12485 of the Revised Codes of Montana of 1921, and to add one new section to be designated Section 12485A, relating to imprisonment at hard labor in all cases of conviction for felony or misdemeanor where sentence of imprisonment is imposed; providing that persons confined in county jails under a judgment of imprisonment rendered in criminal action or proceeding shall be required to perform hard labor; providing that Board of County Commissioners shall prescribe and enforce rules and regulations under which such labor shall be performed; and providing that a county jail shall extend to and over any place or places of employment of the persons confined therein under a judgment of imprisonment in a criminal action or proceeding, in the county where such jail is situated; and repealing all Acts and parts of Acts in conflict herewith." Referred to Ways and Means Committee.

H. B. No. 70, by Wuerthner: A Bill for an Act entitled: "An Act to amend Section 4916 of the Revised Codes of Montana 1921, relating to the fees of sheriffs." Referred to Townships and Counties Committee.

H. B. No. 71, by Kennedy: A Bill for an Act entitled: "An Act to amend Section 4885 of the Revised Codes of Montana 1921, relating to mileage and expenses of sheriffs." Referred to Townships and Counties Committee.

H. B. No. 72, by Flynn: A Bill for an Act entitled: "An Act prescrib-

ing the powers and duties of the State Fire Marshall; and amending Section 2737, Chapter 209." Referred to Insurance Committee.

H. B. No. 73, by Flynn: A Bill for an Act entitled: "An Act to regulate the construction and operation of moving picture shows and theatres showing moving pictures, to provide for an inspection fee for operating the same and to place supervision of such shows and theatres under the department of the State Fire Marshal." Referred to Insurance Committee.

H. B. No. 74, by Keeley: A Bill for an Act entitled: "An Act relating to salaries, office hours and quarter of Justice of the Peace in certain townships and amending Section 4929 of the State of Montana for 1921 being a part of Chapter 35 of Part IV of the Political Code of the State of Montana of 1921, entitled: "Salaries and fees of county officers and deputies, jurors and witnesses." Referred to Townships and Counties Committee.

H. B. No. 75, by McAfee, Moss, Lincoln and Cusick, entitled: "An Act authorizing Wilsie M. Cramer to commence, institute and prosecute to final determination an action at law against the State of Montana for the purpose of determining a certain controversy now existing between the said Wilsie M. Cramer and the State of Montana in connection with the sale of certain land situated in Flathead County, Montana, to the State of Montana, for the use of the State Game and Fish Commission, and making an appropriation to pay any judgment which the said Wilsie M. Cramer may recover against the State of Montana in such action." Referred to Appropriations Committee.

H. B. No. 76, by Loble and Keeley: A Bill for an Act entitled: "An Act to repeal Section 10761 of the Revised Codes of Montana, 1921, relating to furnishing entertainment for the electors." Referred to Judiciary Committee.

H. B. No. 77, by Holt: A Bill for an Act entitled: "An Act to amend Section 1282, of the Revised Codes of Montana of 1921, as amended by Sections 2, 3 and 4 of Chapter 19 of the Session Laws of the Eighteenth Legislative Assembly of 1923, relating to the attendance of pupils at high schools for the purpose of apportionment and distribution of high school funds. 'And repealing Sections 2, 3, and 4 of Chapter 19 of the Session Laws of the Eighteenth Legislative Assembly.'" Referred to Education Committee.

H. B. No. 78, by Beadle, Mulholland and Fitzgerald of Silver Bow: A Bill for an Act entitled: "An Act to amend Section 9256 of the Revised Codes of Montana of 1921, relating to Writs of Attachment and when attachments may issue and repealing all Acts and parts of Acts in conflict herewith." Referred to Judiciary Committee.

H. B. No. 79, by McCarthy: A Bill for an Act entitled: "An Act to amend Section 933, Chapter 75, of the Revised Codes of Montana, 1921, relating to the official staff of the Superintendent of Public Instruction." Referred to Education Committee.

H. B. No. 80, by Rice: A Bill for an Act entitled: "An Act to amend Section 4814 of the Revised Codes of Montana of 1921, relating to the annual report of county clerks." Referred to Townships and Counties Committee.

H. B. No. 81, by Rice: A Bill for an Act entitled: "An Act to amend Section 2174 of the Revised Codes of Montana of 1921 as amended by Chapter 96 of the Laws of the Eighteenth Legislative Assembly, relating to the quarterly settlement and statement of the County Treasurer."

### MOTIONS AND RESOLUTIONS

The following House Joint Resolution No. 3, introduced by Akofer and Moss, was read first and second times and referred to Ways and Means Committee:

WHEREAS, For many years the great intermountain country of the West was forced to bear the brunt of freight rates made in violation of the long and short haul law of the fourth section of the Interstate Com-



merce Act, rates that were both discriminatory and unjust, and gave cities of the Pacific Coast an undue and preferential advantage in trade even within our territory; and

WHEREAS, Since March 15, 1918, the intermountain territory has enjoyed terminal rates by reason of removal of all violations of the fourth section by western transcontinental railroads through an order of the Interstate Commerce Commission; and

WHEREAS, Western transcontinental railroads since the return of the rail carriers to private ownership, have made two attempts to return to the old discriminatory freight rate structure, thus subjecting seven million people of the intermountain country to great business uncertainty and tremendous expense in defending themselves against these actions; and

WHEREAS, We believe that every section of the United States is entitled to just and equitable freight rates; that every community is entitled to the advantage of its geographical location; and that the Gooding long and short haul bill, Senate Bill No. 2327, is designed to insure communities against discrimination in freight rates;

THEREFORE, Be It Resolved, By the Nineteenth Legislative Assembly of the State of Montana, the Senate and House concurring, that we do hereby petition and earnestly pray that the Congress of the United States give earnest consideration to Senate Bill No. 2327.

Moved by Holton, duly seconded and carried, that the Speaker appoint a committee of three to co-operate with a like committee, already appointed from Senate, to investigate office of Register of State Lands, for purpose of making recommendations for any necessary legislation regarding said office. Said committee to report in writing on or before the 30th day.

Burns requests special privilege to ask that bill introduced by Judiciary Committee be shown on the Journal as introduced by Judiciary Committee and not by himself as shown by the Reading Clerk.

At request of Holt, there being no objections, reverted to Order of Business No. 2.

## NOTICES

Authors gave notice that they will on tomorrow or some subsequent day introduce bills as follows:

By Holt: A Bill for an Act entitled: "An Act to provide for the appointment, qualification, duties and compensation of inspectors of boilers, engines, machinery, hazardous plants and engineers; the examination, classification and licensing of engineers and operators of steam and other hazardous machinery; the inspection of boilers, engines, machinery and hazardous plants and the issuance of safety certificates thereon; the collection of certain fees for examination of engineers and operators of hazardous machinery, and for the inspection of boilers, engines, machinery, and hazardous plants; and regulation for the sale of second hand boilers, all under the jurisdiction of the industrial accident board; providing penalties for violation of the several provisions of the Act and repealing Sections 2712 to 2736, both inclusive, Sections 4209 to 4211, both inclusive, and Sections 11196 to 11198, both inclusive, Revised Codes of Montana, 1921."

By Loble: A Bill for an Act entitled: "An Act to amend Section 5138 of the Revised Codes of Montana of 1921 with reference to the hours of work of members of fire department in cities of first, second and third class."

By Loble and Keeley: A Bill for an Act entitled: "An Act to repeal Sections 3040, 3041, 3042 and 3043 of Chapter 215 of the Revised Codes of Montana of 1921 which requires certain employee to make reports to the industrial accident board concerning alien and illiterate employees, and authorizes said board to prescribe rules and regulations and to fix penalties with reference thereto."



At request of Zeh, there being no objections, reverted to Order of Business No. 4:

### REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Printing, beg leave to report the following bill correctly printed: House Bill No. 1.

FRED W. ZEH, Chairman.

Moved by Ruffcorn, duly seconded and carried, that House adjourn until 2:00 P. M.

### AFTERNOON SESSION

House resumed at 2:00 P. M.

Mr. Speaker in the chair.

### COMMUNICATIONS AND PETITIONS

The following communication was received from Harold Joyce Post:  
Helena, January 14, 1925.

Gentlemen:

At the Marlow Theatre, Tuesday and Wednesday, January 20th and 21st, 1925, Lieut. Harold Joyce Post No. 116, Veterans of Foreign Wars, at Fort Harrison, Montana, will exhibit Powder River, the official Government motion picture of the battles in which American troops were engaged in the World War. It is a picture, without embellishment, of the American soldiers in action. In many cities where this picture has been shown, school officials have arranged for special matinees to give the pupils an opportunity to see it. Nothing which has or will be written about the World War can equal this picture in historical value and interest.

Many of you have taken active part in the battle scenes which are shown in Powder River. Others have had a near relative or friend in the scenes. Everyone should see this authentic record of the war.

The expenses incident to this showing of Powder River are large and it is not in any way a private venture. Any financial benefits resulting will benefit the disabled men in the hospital and in their welfare we are assured you are interested.

We are asking you, gentlemen, to purchase a ticket and would appreciate it if you would speak to your friends too. In doing this you will be well repaid by seeing Powder River and in addition you will lend your encouragement and support to the men who have made the patriotic sacrifice of fighting America's wars.

Sincerely yours,

JAMES F. WEAVER,

Commander, Lieut. Harold Joyce Post No. 116, Veterans of Foreign Wars.

Request that members hand into Sergeant at Arms' office a slip on which they will place their names and occupations, for use in making up Book of Rules.

Moved by Bergstrom, duly seconded and carried, that House recess for 5 minutes, in order to permit solicitors of the picture, mentioned in above communication, to sell tickets for same.

House resumed.

The following reports were received from standing committees:

Mr. Speaker: We, your Committee on Printing, beg leave to report the following bills correctly printed:

House Joint Memorial No. 1.

House Joint Resolution No. 2.

House Bill No. 8.

FRED W. ZEH, Chairman.

Mr. Speaker: We, your Committee on Public Morals, Charities and Reforms, having had under consideration House Bill No. 6, introduced by Fox, Parkin and McCarty, a Bill for an Act entitled: "An Act to amend Section 3202 of the Revised Codes of Montana, 1921, providing penalties for the possession, control, sale, bartering, exchange, distribution or disposition of certain narcotic drugs contrary to the provisions of Sections 3189 to 3201, inclusive, of the Revised Codes of Montana, 1921," respectfully report as follows: That House Bill No. 6 do pass.

E. O. HEDRICK, Chairman.

Moved by Hedrick, duly seconded and carried, that report of committee be adopted.

Mr. Speaker: We, your Committee on Public Morals, Charities and Reforms, having had under consideration House Bill No. 7, introduced by McCarty, a Bill for an Act entitled: "An Act to amend Section 11239 of the Revised Codes of Montana, 1921, relating to the selling of opium, morphine and other narcotic drugs and providing a penalty for the violation thereof," respectfully report as follows: That House Bill No. 7 do not pass, for the reason that the subject matter is contained in House Bill No. 6.

E. O. HEDRICK, Chairman.

Moved by Hedrick, duly seconded and carried, that report of committee be adopted.

Mr. Speaker: We, your Committee on State Boards and Officers, having had under consideration House Bill No. 3, a Bill for an Act entitled: "An Act relating to the preparation and publication of the State Treasurer's quarterly report, advertising for bids for the publication thereof, letting a contract therefor, duties of the Governor and repeal of Section 187 of the Montana Revised Codes of 1921," introduced by Besancon, respectfully report as follows: That House Bill No. 3 be amended as follows: By striking out the word "original" in Section 1, line 17, and by striking out the words "redeeming such warrants" in Section 1, line 19, and inserting in lieu thereof the words "of such warrant," and that as amended do pass.

SCHOENING, Chairman.

Moved by Schoening, duly seconded and carried, that report of committee be adopted.

### INTRODUCTION OF BILLS AND MEMORIALS

The following bills were introduced, read first and second times and referred to committees as follows:

House Bill No. 82, introduced by Dellwo, a Bill for an Act entitled: "An Act to amend Section 3385 of the Revised Codes of Montana of 1921, relating to animals running at large within herd districts." Referred to Committee on Agriculture.

House Bill No. 83, introduced by Loble, a Bill for an Act entitled: "An Act to amend Section 9746 of the Revised Codes of Montana of 1921, relative to the authentication of copies of appeals to the supreme court and concerning abbreviated records on appeals to the supreme court of Montana." Referred to Judiciary Committee.

### MOTIONS AND RESOLUTIONS

Moved by Nagle, duly seconded and carried, that chairman of the different committees be instructed to place notices of meetings of their committees on the board provided for that purpose instead of making the announcements orally.

Moved by Moss, duly seconded, that House Rule No. 35, relating to the introduction of bills be amended by adding a section to be known as Section 3 as follows: Section 3. No bills other than Appropriations Bills or substitute bills for bills then pending shall be introduced after the 40th Legislative day.

Moved by Wold, as a substitute motion, duly seconded and carried, that the matter be referred to Committee on Rules, Joint Rules and Order of Business.

The following motion by Keeley was read, duly seconded and carried:

Mr. Speaker: Whereas, the Ways and Means Committee at the present time has under consideration House Bill No. 62, entitled: A Bill for an Act entitled: "An Act to amend Section 12103 and 12104 of the Revised Codes of the State of Montana, 1921, relative to the imposition of the death penalty providing where said execution shall take place, and designating the person who shall inflict the death penalty, and providing for the return upon the death warrant," pertaining to, among other things, the execution of criminals sentenced to death at the Montana State Prison at Deer Lodge.

And Whereas, It is proper and advisable that the suitability and facilities of the State Prison for such purpose be determined;

Now, Therefore, I move you that a special committee from the House, consisting of not to exceed three members, be appointed by the Sepaker to make an investigation of the suitability and advisability of the State Prison as a place for the execution of condemned criminals with authority to go to the State Prison between now and January 19, 1925, and make such investigation relative thereto and report back to the Ways and Means Committee of their findings on January 19, 1925.

W. E. KEELEY.

Moved by Ruffcorn, duly seconded and carried, that House recess subject to call of Chair in order that picture might be taken again since the one taken yesterday was a failure.

### HOUSE RESUMED

Mr. Speaker announced the following committee to act with like committee from the Senate to investigate the State Land Department: Holton of Garfield, Waite of Powder River, Akofer of Pondera.

Moved by Ruffcorn, duly seconded and carried, that the House adjourn until 10:30 A. M. Friday, January 16, 1925.

R. C. BRICKER, Speaker.

Attest: H. J. FAUST, Chief Clerk.

### TWELFTH DAY

House of Representatives,  
Helena, Montana, January 16, 1925.

House met pursuant to adjournment at 10:30 A. M.

Mr. Speaker in the chair.

Prayer by the Chaplain.

Upon roll call, all members present.

The Committee on Journal reported as follows:

Mr. Speaker: We, your Committee on Journal, have this day examined the Journal for the 11th Legislative day and found the same correct.

PEARL I. SMITH, Chairman.

Moved by Smith, duly seconded and carried, that the report be adopted.

### COMMUNICATIONS AND PETITIONS

The following program was read and invitation extended to members of the House to attend:

Nineteenth Legislative Assembly. First Presbyterian Church, Newman Hall Burdick, pastor; Eleventh and Ewing, Helena, Montana; 7:30 P. M., January 18, 1925.

Organ prelude, Julius Wuerthner, Great Falls.

Invocation.

Hymn 642, "O God, Beneath Thy Guiding Hand."



Solo, "Open the Gates to the Temple," William Castles, Mineral County.  
Scripture lesson.

Solo, "Face to Face," Grant Reed, Broadwater County.

Prayer.

Solo, "Lord, Preserve Me Uncomplaining," Everett A. Rice, Toole County.

Offertory.

Address, Rev. John Chirgwin, Chaplain of the House.

Solo, "O Rest in the Lord" (from "Elijah"), Mrs. Foley L. Waters, soloist, Presbyterian choir.

Sermon, "Man," Rev. John Hoskin, Chaplain of the Senate.

Hymn 646, "O Beautiful for Spacious Skies."

Benediction.

Organ postlude.

The male solosists, the choir and Mr. Wuerthner are members of the Legislature.

The following resolution was read:

Resolution: Supporting the Establishment of a State Highway Fund, Adequate to Match Up All Federal Aid Money, Adopted by the Choteau Commercial Club:

Whereas, There is available for Montana at the opening of the year 1925, more than \$3,600,000 of government funds, which may be used for the construction of highways in this state on the basis of 53% paid by the government over against 47% of local cooperation, provided Montana shall arrange out of its state road revenues a fund sufficient to match up these federal allotments and since the fact that 1000 miles of gravel highway which can thereby be built constitutes the largest constructive program that must be considered by the approaching session of the Montana Legislature, it is therefore fitting and proper that civic and commercial organizations should formulate and define their opinions upon this important question:

1. Montana will largely increase its natural production during the next few years. One of its supreme present needs is cheaper transportation. Besides, there is no public investment that will return as much to our own people as improved highways, properly financed, constructed and maintained.

2. We urge that a paramount duty rests upon the Montana Legislature to arrange for a business like, progressive and consistent highway policy, and that enough of the routine road revenues be placed in the state fund so that we may not lose a single dollar of government money that is now available to the state.

3. We protest against the further use of any part of the proceeds of the automobile license tax, or the proceeds of the gasoline tax, for any other purpose than the building and maintenance and supervision of roads. This is morally and legally wrong. We are also firmly of the opinion that the courts will declare any other use of these revenues as unlawful if the Legislature does not enact and the State thereby conform to a correct and lawful policy in this regard.

4. Under the present revenue statutes of Montana, we do not know of a more wholesome plan for the establishment of an adequate State fund than the procedure suggested by the State Highway Commission, and we therefore recommend that the motor vehicle law be so amended that one-half of the revenues derived therefrom shall be placed in the State Highway fund and the other half given to the counties; also that the gasoline tax law be so amended that all of the revenues derived therefrom be placed in the State Highway fund. This plan should surely be carried out unless the Legislature can find a better way of establishing the required co-operative fund.

5. We urge the State Senator and the Representatives from Teton County to support these conclusions.

Passed at a meeting of the Commercial Club on January 9, 1925.

C. S. McDONALD, President.

By E. H. MYRICK, Secretary.

### NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce bills as follows:

By Schoening: A Bill for an Act entitled: "An Act to amend Section 1, Chapter 96 of the Session Laws of the Eighteenth Legislative Assembly of the State of Montana, relating to Collection of Taxes."

By Johnson (Valley), Schoening, Ryder: A Bill for an Act entitled: "An Act to repeal Section 11567 of Revised Codes of Montana of 1921, relating to exhibition of crimes prohibited."

By Fairgrieve and Hanson: A Bill for an Act entitled: "An Act to amend Section 1219 of the Revised Codes of Montana, 1921, relating to the qualifications of electors in school district elections, held for the purpose of levying a tax in excess of ten mills within such school district."

By Akofer: A Bill for an Act entitled: "An Act to amend Section 270, Chapter 18, Revised Codes of Montana, 1921, relating to investment of special funds in general fund warrants."

By Castles, Moss, Zeh, Campbell, Peat, Dellwo, Besancon, Miller, Cusick, Lincoln and McAfee: A Bill for an Act entitled: "An Act to create state forests; to provide for their use, management, control and disposition; to appoint a state forester, fix his salary and define his powers and duties; to authorize cooperation with timber operators, owners, and farmers in forest protection, development and extension; abolishing the office of assistant state forester; and to repeal Sections 1830, 1832, 1837, 1873, 1874, 1875, 1876, 1877, 1878, of the Revised Codes of Montana of 1921."

By Hedrick: A Bill for an Act entitled: "An Act to amend Sections 44 and 45 of the Revised Codes of 1921, relating to appointment of membership and representation of the several counties in Montana in the House of Representatives of the Legislative Assembly of Montana, and to fix the number of members thereof after the expiration of the Nineteenth Session."

By McAfee: A Bill for an Act entitled: "An Act to amend Section 620 of the Revised Codes of Montana of 1921, relating to the time in which a person nominated for public office may decline such nomination."

### REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received:

Mr. Speaker: We, your Committee on Elections, having had under consideration House Bill No. 20, introduced by Flachsenhar: A Bill for an Act entitled: "An Act to amend Chapter 48 of the Revised Codes of Montana of 1921, by adding two new sections to be known as Sections 553 (a) providing for a new register of voters, and Section 553 (b) providing for a declaration of political party and to amend Sections 554, 567 and 568 of the Revised Codes of Montana of 1921, all relating to the Registration of Electors," respectfully report as follows: That House Bill No. 20 do pass.

HARRIS, Chairman.

On motion of Harris, report adopted.

Mr. Speaker: We, your Committee on Privileges and Elections, having under consideration House Bill No. 32, introduced by Donaldson and Flachsenhar: A Bill for an Act entitled: "An Act to amend Sections 648 and 649 of the Revised Codes of Montana, relating to the arrangement and notice of nominations and ballots at primary elections," respectfully report as follows: That House Bill No. 32 be amended by inserting in the title

after the word "Montana," the words "of 1921" and that the same do pass as amended.

ORVILLE, HARRIS, Chairman.

On motion of Harris, report adopted.

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration House Bill No. 25, introduced by Anderson: A Bill for an Act entitled: "An Act to amend Section 778 of the Revised Codes of Montana, 1921, relating to the counting of ballots by election judges and the rejection of illegal ballots," respectfully report as follows: That House Bill No. 25 be amended as follows: Section 1, after the word "evident" a semicolon and the following added, "and the failure to mark an 'X' in the proper space before the name of a candidate placed upon the ballot by paster or by writing shall of itself constitute no bar to the counting of such vote." The committee recommends that the bill do pass, as amended.

HARRIS, Chairman.

On motion of Harris, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 34: A Bill for an Act entitled: "An Act to amend Section 2153 of the Revised Codes of Montana, of 1921, relative to tax on personal property," respectfully report as follows: That House Bill No. 34 do pass.

WM. RUFFCORN, Chairman.

On motion of Ruffcorn, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 23: A Bill for an Act entitled: "An Act to amend Section 180, Revised Codes of Montana, 1921, relating to interest on State Warrants, as amended by Chapter 159, Acts of the 18th Legislative Assembly," respectfully report as follows: That House Bill No. 23 be amended as follows:

1. In Section 1, line 20, after the word "endorsed" insert the following words: "on and after April 1st, 1925, and up to April 1st, 1926."

2. In Section 1, line 21, strike out the word "four" and insert in lieu thereof the word "five."

3. In Section 1, in line 22, after the word "cease" insert the following words, "and all warrants so registered and endorsed on and after April 1st, 1926, shall bear interest at the rate of four per cent per annum until called for payment after which date interest shall cease," and that as so amended the same do pass.

RUFFCORN, Chairman.

On motion of Ruffcorn, report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 24: A Bill for an Act entitled: "An Act to amend Section 7726 of the Revised Codes of Montana of 1921, fixing and prescribing legal rates of interest," respectfully report as follows: That House Bill No. 24 be amended as follows:

Section 1. Strike out beginning with words "and all back interest" to the end of the section. Insert a new section known as Section 2 which reads as follows: "All Acts and parts of Acts in conflict herewith are hereby repealed," and renumber Section 2 of the bill as Section 3.

When so amended the bill be reported out of the committee without recommendation, further than it be printed and placed on General Orders.

TROY, Chairman.

On motion of Troy, report adopted.

Mr. Speaker: We, your Committee on Public Safety, having had under consideration House Bill No. 30, introduced by Mr. Loble, recommend that House Bill No. 30, by Mr. Loble, entitled: "An Act to repeal Section 11555 of the Revised Codes of Montana, 1921, relating to driving cattle on a rail-



road track, with the intention of injuring the railroad corporation," be reported back with a recommendation that it do not pass.

C. F. HOLT, Chairman.

On motion of Holt, report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 13, introduced by Mulholland: A Bill for an Act entitled: "An Act for the purpose of permitting other than attending students at the High Schools of the State of Montana to the examinations on the subjects taught in said schools and giving proper credit therefor," respectfully report as follows: That House Bill No. 13, do not pass.

EATON, Chairman.

Moved by Eaton, duly seconded, that report be adopted.

Moved by Mulholland, as a substitute motion duly seconded that House Bill No. 13 be re-referred to Committee on Education.

Question arising on substitute motion of Mulholland, same passed.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 53, introduced by Cusick: A Bill for an Act entitled: "An Act to amend Section 985 of the Revised Codes of Montana of 1921, relating to the qualification of school trustees," respectfully report as follows: That House Bill No. 53 do not pass.

EATON, Chairman.

On motion of Eaton, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 38, introduced by Wuerthner: A Bill for an Act entitled: "An Act to amend Section 387 of the Revised Codes of Montana of 1921, relating to the term of office of Notary Public," respectfully report as follows: That House Bill No. 38 do pass.

BURNS, Chairman.

On motion of Burns, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 41, introduced by Nagle: A Bill for an Act entitled: "An Act to amend Section 9256 and Section 9257 of the Revised Codes of Montana of 1921, both relating to the provisional remedy of attachment in civil actions," respectfully report as follows: That House Bill No. 41 do pass.

BURNS, Chairman.

On motion of Burns, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 44, introduced by Ainsworth: A Bill for an Act entitled: "An Act to amend Chapter 53 of the Session Laws of Montana of 1923, giving to the Judges of the District Court of the State of Montana jurisdiction to render and sign judgments and make findings and render and sign decrees, make orders and rulings on demurrers and motions, make orders to show cause and all ex-parte orders, in chambers anywhere within the State of Montana, and repealing all Acts and parts of Acts in conflict herewith," respectfully report as follows: That House Bill No. 44 do pass.

BURNS, Chairman.

On motion of Burns, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 55, introduced by Hanson, Johnson of Valley and Walton: A Bill for an Act entitled: "An Act to amend Chapter XXXII of the Session Laws of 1923, amending Section 8275 of the Revised Codes of Montana of 1921, relating to chattel mortgages," respectfully report as follows: That House Bill No. 55 do pass.

BURNS, Chairman.

On motion of Burns, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 15, introduced by Ainsworth: A Bill for an Act entitled: "An Act relating to the operation of motor vehicles and providing for speed limits, precautions for safety of motor vehicles, rights of others, age of applicant for registration, certificate and age of person who may operate a motor vehicle, manner of operating, revocation of registration certificate, operating after revocation of such certificate, arrest and punishment of persons violating this Act, court records of such cases, and repealing all Acts and parts of Acts in conflict herewith," respectfully report as follows: That House Bill No. 15 be amended as follows:

- a. That Section 2 thereof be amended by striking therefrom the following words, lines 7 and 8, "and stopping the motor of said vehicle."
- b. That Section 3 thereof be stricken therefrom.
- c. That Section 5 thereof be amended by substituting the words "five hundred" for the words "two hundred" line 4.
- d. By substituting the words "Two hundred and fifty" for the word "One hundred" in line 28 of Section 6, and the word "ninety" for the word "sixty" in line 29 thereof.
- e. By omitting the words "without warrant" in line 21 of Section 8. And when amended we report the same as amended, do pass.

BURNS, Chairman.

On motion of Burns, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 28, introduced by Burns: A Bill for an Act entitled: "An Act to amend Section 699 of Chapter 55 of the Revised Codes of Montana of 1921," respectfully report as follows: That House Bill No. 28 do not pass.

BURNS, Chairman.

On motion of Burns, report adopted.

Mr. Speaker: We, the majority of your Committee on Judiciary, having had under consideration House Bill No. 57, introduced by Moss: A Bill for an Act entitled: "An Act to amend Section 11956 of the Revised Codes of Montana of 1921, relating to the number of peremptory challenges of jurors allowed the State in the trial of criminal cases," respectfully report as follows: That House Bill No. 57 do pass.

BURNS,  
BESANCON,  
LEAVENS,  
FITZGERALD,  
JOHNSON,  
SCHOENING,  
CAMPBELL,  
RUFFCORN,  
HOLT,  
SMITH, DAVID R.

Mr. Speaker: We, the minority of your Committee on Judiciary, having had under consideration House Bill No. 57, introduced by Moss: A Bill for an Act entitled: "An Act to amend Section 11956 of the Revised Codes of Montana of 1921, relating to the number of peremptory challenges of jurors allowed the State in the trial of criminal cases," respectfully report as follows: That House Bill No. 57 do not pass.

FLACHSENHAR,  
BEADLE,  
FITZGERALD,  
AINSWORTH,  
NELSTEAD.

Moved by Burns, duly seconded, that the majority report be adopted.

Moved, as a substitute motion, by Flachsenhar, duly seconded, that the minority report be adopted.

Question arising on substitute motion to adopt minority report, same failed.

Question arising on original motion to adopt majority report, same carried.

### INTRODUCTION OF BILLS AND MEMORIALS

The following bills were introduced, read first and second times by title only, and referred to committees as follows:

H. B. No. 84, by Ainsworth: A Bill for an Act entitled: "An Act to amend Sections 8883, 8885, 8886, 8887 and 8889 of Chapter 13 and Section 8890 of Chapter 14 of the Revised Codes of Montana of 1921, defining different kind of juries and relating to the qualifications of a juror, providing a particular time when the Act shall take effect and repealing all Acts and parts of Acts in conflict herewith." Referred to Judiciary Committee.

H. B. No. 85, by Miller: A Bill for an Act entitled: "An Act to amend Section 1, of Chapter 7 of the Session Laws of the State of Montana, of 1923." Referred to Fish and Game Committee.

H. B. No. 86, by Kelly: A Bill for an Act entitled: "An Act relating to assessments made by the State Board of Equalization and repealing Sections 2134 and 2145 Revised Codes of Montana 1921." Referred to Revenue and Taxation Committee.

H. B. No. 87, by Budas: A Bill for an Act entitled: "An Act fixing the per diem and compensation of county surveyors." Referred to Townships and Counties Committee.

H. B. No. 88, by Flynn: A Bill for an Act entitled: "An Act to amend Section 11426 of Chapter 46 of the Revised Codes of Montana of 1921." "Burning or destroying property insured." Referred to Insurance Committee.

H. B. No. 89, by Flynn: A Bill for an Act entitled: "An Act to amend Section 6121 of the Revised Codes of Montana, 1921, prohibiting discrimination in favor of individuals by Insurance Companies organized under the laws of Montana; prohibiting terms and conditions of contracts aside from those expressed in the policy and forbidding rebate of premium." Referred to Insurance Committee.

H. B. No. 90, by Beadle: A Bill for an Act entitled: "An Act to provide for the periodical inspection of elevators operated in places of employment in this state; to require a safety certificate for such operation; to make it a misdemeanor to operate such elevator without such certificate; to provide for an injunction against such operation if dangerous to the life or safety of employees; to vest in the Industrial Accident Board the power to make such inspection, and determine the competency of inspectors, and require reports of inspections; to issue such certificates and prescribe maximum fees therefor; and to require that the erecting plan of every elevator hereafter installed be submitted for approval to the Industrial Accident Board." Referred to Public Safety Committee.

H. B. No. 91, by Beadle: A Bill for an Act entitled: "An Act to amend Section 2849 of Chapter 213 Revised Codes of Montana, 1921, known as the Workmen's Compensation Act: relating to and defining inherently hazardous occupations." Referred to Workmen's Compensation Committee.

H. B. No. 92, by Graybill: A Bill for an Act entitled: "An Act to repeal Sections 3947 to 3952, Revised Codes, Montana, 1921, creating the Montana Irrigation Commission and making the Board of Railroad Commissioners of the State of Montana ex-officio the Montana Irrigation Commission thereby created; and providing against the repeal or amendment of Sections 3953 to 4025, inclusive, Revised Codes, Montana, 1921, by this repealing Act." Referred to Ways and Means Committee.

H. B. No. 93, by Troy: A Bill for an Act entitled: "An Act to amend Section 632 of the Revised Codes of Montana of 1921 relating to the date of holding primary elections." Referred to Privileges and Elections Committee.



H. B. No. 94, by Hedrick: A Bill for an Act entitled: "An Act providing for a lien upon personal property for services performed by agricultural and farm laborers." Referred to Judiciary Committee.

H. B. No. 95, by Caplis, Fairgrieve, Reed and Mulholland: A Bill for an Act entitled: "An Act concerning industrial banks, defining the same, and providing for their incorporation, powers,, supervision and control." Referred to Banks and Banking Committee.

### MOTIONS AND RESOLUTIONS

Moved by Zeh, duly seconded and carried, that number of copies of House Bills printed be increased from 600 to 700 copies.

Moved by Ruffcorn, duly seconded and carried, that this House extend a vote of thanks to the people of Helena through the Commercial Club for the hospitality shown the members of this House and their wives at the banquet last night, that a copy of this motion be sent to the Secretary of the Helena Commercial Club by our Chief Clerk.

RUFFCORN.

Helena, January 16, 1925.

Helena Commercial Club, Helena, Montana,

Gentlemen Upon motion of Representative Ruffcorn, duly seconded and carried, I am directed by the House to extend a vote of thanks to the citizens of Helena through the Helena Commercial Club for the hospitality shown the members of this House and their wives at the banquet last night.

H. J. FAUST, Chief Clerk.

### CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

Moved by Hanson, duly seconded and carried, that the messages be considered read at length and Journal so show.

The following messages were received from the Senate:

Helena, January 15, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Resolution No. 3, introduced by Paul, chairman of Finance and Claims Committee, requesting certain information from the Board of Examiners, was this day read, adopted and on motion ordered printed.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, January 15, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Notices of Bills were this day given:

By Brownlee: "An Act to amend Sections 2238 and 2239 of the Revised Codes of Montana 1921 and to amend Chapter 102 of the Laws of the Eighteenth Legislative Assembly of the State of Montana relating to the collection of personal property taxes by adding thereto one section to be known as Section 2239 A, providing for a lien of personal taxes against personal property in cases where such taxes are not a lien against real estate."

By Demel: "An Act to amend Section 6969 of the Revised Codes of Montana of 1921, relating to homesteads."

By Brownlee: "An Act to validate and to cure all irregularities connected with certificates of tax sales heretofore issued to any county or its successors and assigns by reason of delinquent tax sales, and not cured or validated by previous validating acts."

By Pauline: "An Act for the submission to the qualified electors of the State of Montana of an amendment to Section 3 of Article V of the Constitution of the State of Montana, relating to the qualifications of members of the Legislative Assembly."

By Stewart: "An Act to amend Section 5916 of the Revised Codes of

Montana of 1921, providing for continuance of corporate existence by domestic corporations."

By Stewart: "An Act to amend Section 9927 of the Revised Codes of Montana of 1921, relating to the dissolution of corporations by the District Court."

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, January 15, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following bills were introduced, read first and second times and referred to the committees:

S. B. No. 15, by Garber: A Bill for an Act entitled: "An Act to amend Chapter 67 and Section 853 of the Revised Codes of Montana 1921 relating to the University of Montana." Referred to Committee on Education.

S. B. No. 16, by Pauline (by request): A Bill for an Act entitled; "An Act amending Section 11084 of the Revised Codes of Montana 1921, as amended by Chapter 116 of the laws of the Eighteenth Legislative Assembly of the State of Montana, relating to law enforcement fund." Referred to Judiciary Committee.

S. B. No. 17, by Church: A Bill for an Act entitled; "An Act extending the privilege of continual succession to corporations organized prior to the fifth day of March, 1903, for religious, social and benevolent purposes." Referred to Committee on Corporations Other Than Municipal.

S. J. R. No. 3, by Scofield: "A Joint Resolution relating to the opening of the Great Lakes-St. Lawrence Waterway from Duluth to the Sea." Federal Relations Committee.

S. R. No. 3, by Paul: Requesting information from the State Board of Examiners. Adopted and ordered printed.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, January 15, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Investigation Committees were appointed by the President:

State Tuberculosis Sanitarium—Rhoads, chairman; Stewart, Clark.

Board of Hail Insurance—Mears, chairman; Gilboe, Staggs.

State Prison—Stewart, chairman; Paul, Survant.

State Forestry Department—Cooper, chairman; Gilboe, Linn.

State Purchasing Department—Delaney, chairman; Adams.

School of Mines—Mears, chairman; Page, Muffly.

State Fair—Church, chairman; Speer, Survant.

Boards and Commissions: State Accountant; Adjutant General's Office, Consolidated Boards, etc.—Adams, chairman; Gilboe, Oliver.

Respectfully,

J. F. CONE, Secretary of Senate.

#### CONSIDERATION OF GENERAL ORDERS

Moved by Nagle, duly seconded and carried, that House resolve itself into Committee of the Whole for consideration of General Orders.

Mr. Troy in the chair.

Committee arose.

Mr. Speaker in the chair.

Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration H. J. Resolution No. 2; H. J. Memorial No. 1; respectfully report as follows: That H. J. Resolution No. 2, as amended, do pass; H. J. Memorial No. 1 do pass.

T. J. TROY, Chairman.

Moved by Troy, duly seconded, that report of Committee of the Whole be adopted.

Moved by Holt, as a substitute motion, duly seconded, that H. J. Resolution No. 2 be segregated from the report.

Question arising on substitute motion by Holt, it failed.

Question arising on original motion by Troy, it carried.

At request of Caplis, there being no objections, House reverted to Order of Business No. 6.

### MOTIONS AND RESOLUTIONS

Moved by Caplis, duly seconded and carried, that this House do request the Honorable Senate that they appoint a committee of 5 to act as a Conference Committee with the sub-committee of 5 of the Appropriation Committee of the House for the detailed consideration of Deficiency and Old Claims.

At request of Loble, there being no objections, House reverted to Order of Business No. 2:

### NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce bills as follows:

By Tinsley: A Bill for an Act entitled: "An Act requiring railroad companies doing business within the State of Montana promptly to transport and unload livestock at points of destination, in the case of intrastate shipments, and empowering the Board of Railroad Commissioners of the State of Montana to make and promulgate from time to time suitable rules and regulations to carry out in detail the provisions of this Act, and to repeal all Acts and parts of Acts in conflict herewith, and providing a penalty for violation of the provisions of this Act or orders of said Board pursuant thereto."

By Loble and Keeley: A Bill for an Act entitled: "An Act to repeal Section 11258, of the Revised Codes of Montana 1921, relating to spreading false rumors with intent to affect the market price of property."

### UNFINISHED BUSINESS

Mr. Speaker then asked that report of standing committees be made in duplicate and that four copies of committee amendments be submitted.

Mr. Speaker announced a committee as follows, appointed in accordance with provisions of motion made by Keeley on January 15, that a special committee be appointed to make an investigation of the suitability and advisability of the State Prison as a place for the execution of condemned criminals:

WOLD of Yellowstone.  
JOHNSON of Fergus.  
BERGSTROM of Fallon.

Moved by Ruffcorn, duly seconded and carried, that House adjourn until 1:00 P. M., Monday, January 19, 1925.

R. C. BRICKER, Speaker.

Attest: H. J. FAUST, Chief Clerk.

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### FIFTEENTH DAY

House of Representatives,  
Helena, Montana, January 19, 1925.

House met pursuant to adjournment at 1:00 P. M.

Prayer by the Chaplain.

On roll call all present except: Wold, Johnson of Fergus and Bergstrom,



excused on account of committee work; and Akofer, excused until Tuesday afternoon, and Meagher and Stoddard, absent.

The Committee on Journal reported as follows:

Mr. Speaker: We, your Committee on Journal, have this day examined the Journal for the 12th Legislative day and found the same correct.

E. J. PARKIN, Chairman.

Moved by Parkin, duly seconded and carried, that the report be adopted.

### COMMUNICATIONS AND PETITIONS

The following telegram was read:

Butte, Montana, January 19, 1925.

Speaker of the House, Helena, Montana.

Two hundred twenty-five seniors Butte High School petition Legislature for privilege of first year at college at School of Mines.

A. H. DOUGLAS, Supt.

### NOTICES

Authors gave notice that they will on tomorrow or some subsequent day introduce bills as follows:

By Holt: A Bill for an Act entitled: "An Act to amend Section 1013 of the Revised Codes of Montana of 1921, relating to transfer of apportionment."

By Rice: A Bill for an Act entitled: "An Act to amend Section 2399 of the Revised Codes of Montana of 1921 as amended by Chapter 67 of the Laws of the Eighteenth Legislative Assembly, relating to the payment of the oil license tax and the distribution of same."

By Ainsworth: A Bill for an Act entitled: "An Act abolishing the State Bureau of Child and Animal Protection, and repealing Sections 336 to 349 inclusive of the Revised Codes of Montana of 1921 relating to the State Bureau of Child and Animal Protection."

By Ainsworth: A Bill for an Act entitled: "An Act authorizing and requiring probation officers to perform certain additional duties; defining such duties; making it the duty of Boards of County Commissioners to pay for the care or maintenance of certain children; authorizing probation officers to make arrests in cases of violation of any provision of the laws relating to wrongs to children and dumb animals; to investigate and enforce the laws pertaining to minor children and dumb animals; and repealing all Acts and parts of Acts in so far as the same may conflict herewith."

By Ainsworth: A Bill for an Act entitled: An Act to amend Section 2837, 2862, 2863, 2865, 2866, 2867, 2870, 2891, 2898, 2900, 2912, 2913, 2914, 2915, 2916, 2917, 2918, 2919, 2920 and 2923 of the Revised Codes of Montana of 1921, and to add one new section to be designated 2990A, relating to the workmen's compensation law; defenses not excluded in personal injury action against employer in non-hazardous occupation and certain other occupations; defining 'employer;' defining 'employee' and 'workman;' defining 'beneficiary;' defining 'major' dependent; defining 'minor' dependent; defining 'injury' or 'injured' and providing for the inclusion of certain occupational diseases; for the payment of compensation to children up to the age of eighteen years; for the payment of compensation to parent or guardian; providing exception in case of minors and incompetents as to period of limitation; compensation for injury producing temporary total disability; compensation for injury producing total disability, permanent in character; compensation for partial disability and providing for rating of percentage of disability; compensation for injury causing death; providing for additional compensation in case death occurs while employee is drawing or entitled to draw compensation payment; providing for medical and hospital service; compensation from what date paid; compensation to run consecutively and relating to compensation payments to certain major and minor dependents; compensation in cases of specified injuries;

providing for payment of compensation in cases of second injuries and creating a special fund for such cases; permitting employers in certain non-hazardous occupations to elect to comply and come under the provisions of plan 3 of this Act and fixing the classification of such employers and employees; and repealing all Acts and parts of Acts in so far only as the same may conflict herewith."

By Lincoln: A Bill for an Act entitled: "An Act requiring the labeling of all cloth, fabrics, garments or articles of apparel sold or offered for sale in this state which contain wool, or purport to contain wool; to provide penalties for violation of this law and to repeal all Acts and parts of Acts in conflict herewith."

By Besancon, Hanson and Hoffman: A Bill for an Act entitled: "An Act amending Sections 4056 and 4061 of the Revised Codes of Montana of 1921, and making the Commissioner of Agriculture of the Department of Agriculture, Labor and Industry of the State of Montana ex-officio Real Estate Commissioner."

By Fairgrieve: A Bill for an Act entitled: "An Act providing for a monthly maintenance allowance for persons receiving vocational rehabilitation."

By Burns: A Bill for an Act entitled: "An Act to amend Section 9858 of the Revised Codes of Montana of 1921, relating to judgments, costs and damages for mandamus proceedings."

By Burns: A Bill for an Act entitled: "An Act to amend Section 9810 of the Revised Codes of Montana of 1921, relating to the payment of any fee or amount in advance by officers of the state, county or municipality during the prosecution or defense of an action and also to the fixing of costs in such an action."

By Davis, Flachsenhar, McAfee, Moss, Smith (Beaverhead), Waite: A Bill for an Act entitled: "An Act to amend Section 687 of the Revised Codes of Montana of 1921, relating to the number of ballots to be provided for each precinct in general election."

By Plank: A Bill for an Act entitled: "An Act imposing a lien on real estate to secure judgments obtained on certain bonds and undertakings and providing for the filing of such bonds and repealing Section 12165 of the Montana Revised Codes of 1921."

By Loble and Keeley: A Bill for an Act entitled: "An Act to repeal Section 11252 of the Revised Codes of Montana, 1921, relating to riding or driving faster than a walk on public bridges."

By Smith and Nagle: A Bill for an Act entitled: "An Act to amend Section 10639 of the Revised Codes of Montana of 1921, relating to affidavits to be used in the State of Montana."

By Flynn and White: A Bill for an Act entitled: "An Act requiring the registration of all colonies of honey bees; providing a method of registering and of collecting fees; requiring the posting of registration certificates; and authorizing the expenditure of funds arising from registration fees."

By Davis, Nelstead, Hanson, Ruffcorn, Hawley and Troy: A Bill for an Act entitled: "An Act authorizing the Attorney General to appoint an additional law clerk; prescribing the qualifications of such law clerk, and fixing the salary."

By Troy and Patterson: A Bill for an Act entitled: "An Act providing for commission districts in counties of the State of Montana and providing for the method of electing commissioners therein."

By Fitzgerald of Silver Bow: A Bill for an Act entitled: "An Act permitting defendants in criminal actions and proceedings and in quasi-criminal actions and proceedings to disqualify judicial officers, providing the manner in which such may be done, and the procedure after such disqualifications."

By Ainsworth, Mulholland, Beadle, Fitzgerald, Tinsley, Caplis: A

Bill for an Act entitled: "A Bill for an Act to provide for the organization, operation and supervision of co-operative savings and credit associations to be termed 'Credit Unions' and to define their powers."

### REPORTS OF SELECT COMMITTEES

Mr. Speaker announced that the committee sent over to the prison to investigate had not returned and therefore the House would not receive the report at this time.

### REPORTS OF STANDING COMMITTEES

The following reports were received from standing committees:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 65, introduced by Graybill, a Bill for an Act entitled: "An Act of repealing Sections 11422 and 11423 of the Revised Codes of Montana of 1921, relating to false advertising of merchandise, and amending Section 11424 of the Revised Codes of Montana of 1921, relating to false advertising," respectfully report as follows: That House Bill No. 65 do pass.

BURNS, Chairman.

On motion of Burns, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 83, introduced by Loble, a Bill for an Act entitled: "An Act to amend Section 9746 of the Revised Codes of Montana of 1921, relative to the authentication of copies of appeals to the Supreme Court and concerning abbreviated records on appeal to the Supreme Court of Montana," respectfully report as follows: That House Bill No. 83 do pass.

BURNS, Chairman.

On motion of Burns, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 51, introduced by Flachsenhar and Donaldson, a Bill for an Act entitled: "An Act to repeal Section 4807 and amend Section 4808 of the Revised Codes of Montana of 1921, relating to searches by the County Clerk and duties pertaining thereto," respectfully report as follows: That House Bill No. 51 do not pass.

BURNS, Chairman.

On motion of Burns, report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 68, introduced by Ainsworth, a Bill for an Act entitled: "An Act to amend Section 4736 of the Revised Codes of Montana of 1921, relating to the opening and closing of certain county offices, and repealing all Acts and parts of Acts in conflict herewith," respectfully report as follows: That House Bill No. 68 do pass.

DONALDSON, Chairman.

On motion of Donaldson, report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 81, introduced by Mr. Rice, a Bill for an Act entitled: "An Act to amend Section 2174 of the Revised Codes of Montana of 1921, as amended by Chapter 96 of the Laws of the Eighteenth Legislative Assembly, relating to the quarterly settlement and statement of the County Treasurer," respectfully report as follows: That House Bill No. 81 do pass.

DONALDSON, Chairman.

On motion of Donaldson, report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 74, introduced by Mr. Keeley,



a Bill for an Act entitled: "An Act relating to salaries, office hours and quarters of Justices of the Peace in certain townships and amending Section 4929 of the State of Montana for 1921, being a part of Chapter 35 of Part IV of the Political Code of the State of Montana of 1921, entitled: 'Salaries and fees of county officers and deputies, jurors and witnesses'," respectfully report as follows: That House Bill No. 74 do pass.

DONALDSON, Chairman.

On motion of Donaldson, report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 80, introduced by Rice, a Bill for an Act entitled: "An Act to amend Section 4814 of the Revised Codes of Montana of 1921, relating to the annual report of County Clerks," respectfully report as follows: That House Bill No. 80 be amended as follows:

(1) In line 3 of Section 1 of the bill, strike out the word "immediately" and insert the words "within sixty days."

(2) In line 6 of Section 1 of the bill, after the word "examiner" insert the words "and the State Board of Equalization."

And that House Bill No. 80, as amended, do pass.

DONALDSON, Chairman.

On motion of Donaldson, report adopted.

Mr. Speaker: We, your Committee on Irrigation and Water Rights, having had under consideration House Bill No. 29, introduced by Burns, a Bill for an Act entitled: "An Act relating to the irrigation districts and amending and re-enacting Section 7166 of the Revised Codes of Montana of 1921 as amended by Section 1 of the Session Laws of 1923," respectfully report as follows: That House Bill No. 29 do pass.

STRANGE, Chairman.

Moved by Strange that report be adopted.

Substitute motion by Burns, duly seconded, that House Bill No. 29 be re-referred to Committee on Irrigation and Water Rights for reconsideration.

Question arising on substitute motion, division is called for and motion passed.

Mr. Speaker: We, your Committee on Railroads and Transportation, having had under consideration House Bill No. 67, introduced by Larson (Sheridan), a Bill for an Act providing for abolishing the office of Railroad Commissioner and the Board of Railroad Commissioners of the State of Montana, and their salaries, transferring their duties to a board composed of the Governor, State Treasurer and Attorney General; to act without additional compensation; prohibiting free transportation of members and employees thereof; repealing Section 3779 and amending Sections 3784 and 3785. Revised Codes of Montana of 1921, respectfully report as follows: That House Bill No. 67 be referred to the Judiciary Committee.

HAWLEY, Chairman.

Mr. Speaker: We, the majority of your Committee on Townships and Counties, having had under consideration House Bill No. 39, introduced by Keeley, a Bill for an Act entitled: "An Act relating to salary and mileage of court stenographers, and amending Section 8933 of the Codes of the State of Montana of 1921, being a part of Chapter 20 of the Code of Civil Procedure of the State of Montana of 1921, entitled: 'Stenographers'," respectfully report as follows: That House Bill No. 39 do not pass.

FLACHSENHAR,  
REED,  
PEAT,  
PARKIN,  
CUSICK,  
RICE,  
CASTLES.

Mr. Speaker: We, a minority of your Committee on Townships and Counties, having had under consideration House Bill No. 39, introduced by Keeley, a Bill for an Act entitled: "An Act relating to salary and mileage of court stenographers, and amending Section 8933 of the Codes of the State of Montana, 1921, being a part of Chapter 20 of the Code of Civil Procedure of the State of Montana of 1921, entitled: "Stenographers'," respectfully report as follows: That House Bill No. 39 do pass.

KEELEY,  
SCHOENING,  
DONALDSON,  
NAGLE,  
FOX,  
MEAGHER.

Moved by Flachsenhar, duly seconded, that majority report be adopted.

Substitute motion by Keeley, duly seconded, that minority report be adopted.

Question arising on motion of Keeley that minority report be adopted, division is called for, the motion is lost.

Substitute motion by Nagle, duly seconded, to original motion to adopt majority report that H. B. No. 39 be referred to Judiciary Committee. Question arising, division is called for. Motion is carried.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 9, introduced by Beadle, relating to budgets for counties, cities, towns, and school districts, respectfully request that further time be given the committee for the consideration of the bill.

DONALDSON, Chairman.

Moved by Donaldson, duly seconded and carried, that request be granted.

### INTRODUCTION OF BILLS AND MEMORIALS

The following bills were introduced, read first and second times and referred to committees as follows:

House Bill No. 96, introduced by Castles, Moss, Zeh, Campbell, Peat, Dellwo, Besancon, Miller, Cusick, Lincoln, and Fitzgarrald: A Bill for an Act entitled: "An Act to create state forests; to provide for their use, management, control and disposition; to appoint a state forester, fix his salary and define his powers and duties; to authorize co-operation with timber operators, owners, and farmers in forest protection, development and extension; abolishing the office of assistant state forester; and to repeal Sections 1830, 1832, 1837, 1873, 1874, 1875, 1876, 1877, 1978, of the Revised Codes of Montana of 1921." Referred to Committee on Conservation of Resources.

House Bill No. 97, introduced by Judiciary Committee: A Bill for an Act entitled: "An Act to amend Sections 8812 and 8813 of the Revised Codes of Montana of 1921, relating to the judicial districts of the State of Montana and the judges thereof; providing the number of such judicial districts and defining them; providing for the number of judges in each of such judicial districts; providing when the said judicial districts shall come into existence, and providing for the nomination and election of the judges thereof for the next general election." Referred to Judiciary Committee.

House Bill No. 98, introduced by Graybill: A Bill for an Act entitled: "An Act to amend Sections 1955, 1957, 1959, 4023, of the Revised Codes of Montana of 1921, relating to the duties of the State Engineer, the location of his office, his official bond, and making him ex-officio Chief Engineer for the Board of Railroad Commissioners, Public Service Commission, and Trade Commission, and repealing Section 1956

of the Revised Codes of Montana of 1921, relating to the duties of the State Engineer." Referred to Committee on Irrigation and Water Rights.

House Bill No. 99, introduced by Fairgrieve and Hanson: A Bill for an Act entitled: "An Act to amend Section 1219 of the Revised Codes of Montana of 1921, relating to the qualifications of electors in school district elections held for the purpose of levying a tax in excess of ten mills within such school districts."

House Bill No. 100, introduced by Schoening: A Bill for an Act entitled: "An Act amending Section 1 of Chapter 96 of the Session Laws of the 18th Legislative Assembly of the State of Montana relating to the collection of taxes and providing for the distribution of the interest and penalties collected on delinquent taxes." Referred to Committee on Revenue and Taxation.

House Bill No. 101, introduced by Nelstead: A Bill for an Act entitled: "An Act to amend Section 1617 of the Revised Codes of Montana, 1921, relating to the levy of a tax for road purposes, and to repeal Section 1704 of the Revised Codes of Montana of 1921, relating to the levy of a tax for bridge purposes." Referred to Committee on Ways and Means.

House Bill No. 102, introduced by Loble: A Bill for an Act entitled: "An Act to amend Section 5138 of the Revised Codes of Montana of 1921, with reference to the hours of work of members of fire departments in cities of first, second and third class." Committee on Affairs of Cities.

House Bill No. 103, introduced by Loble and Keeley: A Bill for an Act entitled: "An Act to repeal Sections 3040, 3041, 3042 and 3043 of Chapter 215 of the Revised Codes of Montana of 1921 which requires certain employers to make reports to the Industrial Accident Board concerning alien and illiterate employees, and authorizes said board to prescribe rules and regulations and to fix penalties with reference thereto." Referred to Committee on Improvements and Manufacturing.

House Bill No. 104, introduced by Johnson (Valley), Schoening and Ryder: A Bill for an Act entitled: "An Act to repeal Section 11567 of the Revised Codes of Montana of 1921, relating to exhibition of crimes prohibited." Referred to Judiciary Committee.

House Bill No. 105, introduced by McAfee: A Bill for an Act entitled: "An Act to amend Section 620 of the Revised Codes of Montana of 1921, relating to the time in which person nominated for public office may decline such nomination." Referred to Committee on Privileges and Elections.

## MOTIONS AND RESOLUTIONS

Moved by Beadle, duly seconded and carried, that the following petition be considered read at length and that the Journal so show:

"We, the undersigned, citizens and residents of the City of Butte, County of Silver Bow, State of Montana, hereby heartily endorse and approve the bill now in the Legislature of the State of Montana, having for its object the establishment of one year of Collegiate work at the State School of Mines at Butte, Montana, and we recommend the passage of said bill, and believe that it will be a permanent benefit and improvement of the greater Montana University."

The above petition was signed by 309 citizens of Butte and Silver Bow County.

## CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

The following message was received from the Governor:

Helena, January 19, 1925.

Hon. R. C. Bricker, Speaker of the House of Representatives,  
Helena, Montana.

Dear Mr. Speaker:

Attached hereto is an invitation to members of the Assembly and the



ladies who are with them to attend a reception on the evening of January 28.

I shall be very glad if you will have the invitation read in open session of the House of Representatives.

With kindest regards, I am,

Yours sincerely,

J. E. ERICKSON, Governor.

"Governor and Mrs. Erickson will be at home informally to the members of the Senate and House of Representatives and their Ladies at the Executive Mansion Wednesday evening, January 28, beginning at eight o'clock."

Moved by Loble, duly seconded and carried, that messages from Senate be considered read at length.

The following messages were received from the Senate:

Helena, Montana, January 16, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following investigating committees were appointed by the President:

University at Missoula—Hazelbaker, chairman; Oliver, Watson.

College of Agriculture, Bozeman—Buttelman, chairman; Conser, Staggs.

Board of Child and Animal Protection, State Orphans' Home, Board of Charities and Reform—Spencer, chairman; McCormick, Duncan.

Montana State Industrial School—Smith, chairman; Page, Cooper.

State Normal School—Hazelbaker, chairman; Taylor, Leuthold.

Fish and Game—Pauline, chairman; Garber, Spencer.

Soldiers' Home, Veterans' Welfare Commission—Shelver, chairman; Kane, Garber.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, January 16, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Notices of Bills were this day given:

By McCone and Oliver: "An Act to provide for the increase of capital stock of state banks hereafter to be established."

By Church: "An Act to amend Section 5918 and Section 5926 of the Revised Codes of Montana of 1921, relating to the extension of the term of existence of corporations."

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, January 16, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following bills were this day introduced:

S. B. No. 18, by Demel: "An Act to amend Section 6969 of the Revised Codes of Montana of 1921, relating to homesteads."

S. B. No. 19, by Brownlee: "An Act to amend Sections 2238 and 2239 of the Revised Codes of Montana of 1921 and to amend Chapter 102 of the Laws of the Eighteenth Legislative Assembly of the State of Montana relating to the collection of personal property taxes, by adding thereto one section to be known as Section 2239A providing for a lien of personal taxes against personal property, in cases where such taxes are not a lien against real estate." Referred to Judiciary Committee.

Respectfully,

J. F. CONE, Secretary of Senate.

The Printing Committee reported as follows:

Mr. Speaker: We, your Committee on Printing, beg leave to report the following bills correctly printed: House Bills 3, 5, 6, 14, 50, 57, 55, 44, 41, 38, 34.

FRED W. ZEH, Chairman.

Moved by Ruffcorn, duly seconded and carried, that House adjourn until Tuesday, 10:30 A. M., January 20, 1925.

R. C. BRICKER, Speaker.

Attest: H. J. FAUST, Chief Clerk.

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## SIXTEENTH DAY

House of Representatives,  
Helena, Montana, January 20, 1925.

House met pursuant to adjournment at 10:30 A. M.

Mr. Speaker in the chair.

Prayer by the Chaplain.

On roll call all present.

The Journal Committee reported as follows:

Mr. Speaker: We, your Committee on Journal, have this day examined the Journal for the 15th Legislative day and found the same correct.

E. J. PARKIN, Vice Chairman.

Moved by Parkin, duly seconded and carried, that the report be adopted.

The Printing Committee reported as follows:

Mr. Speaker: We, your Committee on Printing, beg leave to report the following bills correctly printed: House Bills 15, 20, 23, 24, 25, 32.

FRED W. ZEH, Chairman.

## NOTICES

Authors gave notice that they will on tomorrow or some subsequent day introduce bills as follows:

By Loble and Keeley: A Bill for an Act entitled: "An Act to repeal Section 11526 of the Revised Codes of Montana, 1921, relating to officers of fire departments issuing a false certificate of exemption."

By Lincoln: A Bill for an Act entitled: "An Act to amend Chapter 21, Revised Codes of Montana, 1921, relating to the qualifications, admission, license and disbarment of attorneys; amending Section 8937, Revised Codes of Montana, 1921; amending Section 8948, Revised Codes of Montana, 1921, and repealing Section 8949, Revised Codes of Montana, 1921."

By Schoening: A Bill for an Act entitled: "An Act to amend Section 9453 of the Revised Codes of Montana of 1921, relating to cure of defects in judicial sales of real property."

By Strange, Ruffcorn, Graybill, Burns, Donaldson, Waite, Peterson, Gordon, White, Schoening, Bergstrom, Campbell, Davis, David R. Smith, Albert Johnson, A. T. Larsen, Johnson of Valley, Wold, Moss, McAfee, Holt, Holton: A Bill for an Act entitled: "An Act to amend Sections 12404, 12396, 12397, 12398, 12399, 12400, 12402, 12404, 12405, 12406, 12407, 12409, 12410, 12412, 12413 of the Revised Codes of Montana of 1921, all relating to the issuance, service and return of search warrants, certain sections to be known as Sections 12414A, 12414B, 12414C and 12414D, relating to appeals, evidence and procedure in connection with the issuance, service, return and disposition of articles seized thereon, and repealing Section 11071, Revised Codes of Montana of 1921, as amended by Chapter

116, Laws of the Eighteenth Legislative Assembly, and Sections 11104 and 11105, Revised Codes of Montana of 1921."

By Ruffcorn, Burns, Hanson, Waite, Leavens, Schoening, Graybill, Peterson, Donaldson, White, Davis, Bergstrom, Albert Johnson, Wold, Holt: A Bill for an Act entitled: "An Act to amend Sections 11073 and 11107, Revised Codes of Montana of 1921, relating to the seizure and disposition of vehicles illegally transporting intoxicating liquors and prohibiting the use of replevin or other process to take the same from the possession of the officer seizing the same."

### REPORTS OF STANDING COMMITTEES

The following reports were received from standing committees:

January 20th, 1925.

Mr. Speaker: We, your Committee on Rules, Joint Rules and Order of Business, recommend that:

The House Rules of the 18th Legislative Assembly be amended as follows:

Amend Rule 35, by adding a new section to be numbered 3 to read as follows:

Section 3. No bills other than appropriation bills or substitute bills for bills then pending shall be introduced after the fortieth Legislative day," and that as so amended, the House Rules of the 18th Legislative Assembly be adopted as the permanent rules of the 19th Legislative Assembly.

O. M. WOLD, Chairman.

On motion of Wold, report adopted.

Mr. Speaker: We, your Committee on Insurance, having had under consideration House Bill No. 89, introduced by Flynn by request, a Bill for an Act entitled: "An Act to amend Section 6121 of the Revised Codes of Montana, 1921, prohibiting discrimination in favor of individuals by insurance companies organized under the laws of Montana; prohibiting terms and conditions of contracts aside from those expressed in the policy and forbidding rebate of premium," respectfully report as follows: That House Bill No. 89 do pass.

FLYNN, Chairman.

On motion of Flynn, report adopted.

Mr. Speaker: We, your Committee on Insurance, having had under consideration House Bill No. 88, introduced by Flynn by request, a Bill for an Act entitled: "An Act to amend Section 11426 of Chapter 46 of the Revised Codes of Montana of 1921, 'Burning or destroying property insured'," respectfully report as follows: That House Bill No. 88 do pass.

FLYNN, Chairman.

On motion of Flynn, report adopted.

Mr. Speaker: We, your Committee on Corporations other than Municipal, having had under consideration House Bill No. 43, introduced by Fairgrieve, entitled a Bill for an Act entitled: "An Act providing a method for making the capital stock of corporations assessable and repealing Section 5993 of the Revised Codes of Montana of 1921, relating to said subject," respectfully report as follows: That House Bill No. 43 do not pass.

NELSTEAD, Chairman.

On motion of Nelstead, report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 85, introduced by Mr. Miller, a Bill for an Act entitled: "An Act to amend Section 1 of Chapter 7 of the Session Laws of the State of Montana of 1923," respectfully report as follows: That House Bill No. 85 do pass.

A. H. SALES, Chairman.

On motion of Sales, report adopted.



Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration House Bill No. 93, a Bill for an Act entitled: "An Act to amend Section 632 of the Revised Codes of Montana of 1921, relating to the date of holding primary elections," respectfully report as follows: That House Bill No. 93 do pass.

HARRIS, Chairman.

On motion of Harris, report adopted.

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration House Bill No. 66, a Bill for an Act entitled: "An Act to amend Sections 640 and 652 of the Revised Codes of Montana and repealing such portion of Section 1 of Chapter 133 of the Laws of the Eighteenth Legislative Assembly of the State of Montana of 1923 as amending said sections, all relating to primary elections," respectfully report as follows: That House Bill No. 66 be amended by inserting after the word "Montana" the words "of 1921," and that the bill so amended do pass.

HARRIS, Chairman.

On motion of Harris, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 97, introduced by Judiciary Committee, a Bill for an Act entitled: "An Act to amend Sections 8812 and 8813 of the Revised Codes of Montana of 1921, relating to the judicial districts of the State of Montana and the judges thereof; providing the number; of such judicial districts and defining them; providing for the number of judges in each of such judicial districts; providing when the said judicial districts shall come into existence, and providing for the nomination and election of the judges thereof for the next general election," respectfully report as follows: That House Bill No. 97 do pass.

BURNS, Chairman.

On motion of Burns, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 26, introduced by Wuerthner, a Bill for an Act entitled: "An Act to amend Section 5685 of the Revised Codes of Montana of 1921, relating to powers of persons whose incapacity has been adjudged," respectfully report as follows: That House Bill No. 26 do pass.

BURNS, Chairman.

On motion of Burns, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 47, introduced by Graybill, a Bill for an Act entitled: "An Act amending Section 8286 of the Revised Codes of Montana of 1921, which relates to the execution of a power of sale contained in a mortgage of personal property by providing for attorney's fees when such power of sale is executed," respectfully report as follows: That House Bill No. 47 be amended as follows:

By striking all of Section 1 after the words "which shall be" in line 34 thereof, and inserting in lieu thereof "as is allowed by local court rules on foreclosure of real estate mortgages," and as amended that bill do pass.

BURNS, Chairman.

On motion of Burns, report adopted:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 64, introduced by Brandt and Nelson, a Bill for an Act entitled: "An Act to amend Section 8259 of the Revised Codes of Montana of 1921, relating to assignments of mortgages shall contain the post office address of the assignee, and prohibiting the recording thereof unless containing such post office address," respectfully report as follows: That House Bill No. 64 be amended as follows:

By inserting after the word "notice" in the third line of the first paragraph the words "to the mortgagor and"; also by striking out in said

paragraph of such bill the words "to mortgagor and all persons interested in transaction," and then by adding as follows: "All persons subsequently deriving title to the mortgage from the assignor and all persons interested."

Also that it be amended by adding the word "assignee's" after "the" in the first line of the second paragraph of such section and by striking out the three words "of the assignee" and inserting in lieu thereof the words "at his place of residence."

Also that the "(A)" and "(B)" designating the two paragraphs of such sections should be stricken out.

And as amended said bill do pass.

BURNS, Chairman.

On motion of Burns, report adopted.

Mr. Speaker: We, the majority of your committee on Judiciary, having had under consideration House Bill No. 39, introduced by Keeley, a Bill for an Act entitled: "An Act relating to salary and mileage of court stenographers, and amending Section 9833 of the Codes of the State of Montana of 1921, being a part of Chapter 20 of the Code of Civil Procedure of the State of Montana of 1921, entitled 'Stenographers,'" respectfully report as follows: That House Bill No. 39 do not pass.

BURNS, Chairman.  
LEAVENS,  
FLACHSENHAR,  
NELSTEAD,  
BESANCON,  
FITZGARRALD,  
HOLT,  
RUFFCORN,  
CAMPBELL.

Mr. Speaker: We, the minority of your Committee on Judiciary, having had under consideration House Bill No. 39, introduced by Keeley, a Bill for an Act entitled: "An Act relating to salary and mileage of court stenographers, and amending Section 9833 of the Codes of the State of Montana of 1921, being a part of Chapter 20 of the Code of Civil Procedure of the State of Montana of 1921, entitled 'Stenographers,'" respectfully report as follows: That House Bill No. 39 do pass.

DAVID R. SMITH,  
JAMES T. FITZGERALD,  
H. A. SCHOENING,  
KERR BEADLE,  
H. S. AINSWORTH.

Moved by Burns, duly seconded, that majority report of Judiciary Committee be adopted.

Moved by Keeley, as substitute motion, duly seconded, that minority report of Judiciary Committee be adopted.

Question arising on substitute motion by Keeley, motion failed.

Substitute motion by Keeley, duly seconded, that House Bill No. 39 be printed.

Question arising on substitute motion, same failed.

Question arising on original motion by Burns, same carried.

Mr. Speaker: We, your Committee on Federal Relations, having had under consideration House Memorial No. 1, introduced by McCarty, and entitled: "Memorial to the Congress of the United States asking it to ratify the protocol calling for an international conference for arbitration and disarmament of nations to be held in Geneva on June 15, 1925," respectfully report as follows: That said House Memorial No. 1 be amended by striking out the word "divine" on line 19, page 1, and by striking out

the words "the world and" on line 20, page 1, and that as so amended we recommend that the said memorial do pass.

W. E. KEELEY, Chairman.

On motion of Keeley, report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 13, introduced by Mulholland, a Bill for an Act entitled: "An Act for the purpose of permitting other than attending students at the high schools of the State of Montana to the examinations on the subjects taught in said schools, and giving proper credit therefor," respectfully report as follows: That House Bill No. 13 do not pass.

EATON, Chairman.

On motion of Eaton, report adopted.

Mr. Speaker: We, your Committee on Agriculture, having had under consideration House Bill No. 82, a Bill for an Act entitled: "An Act to amend Section 3385 of the Revised Codes of Montana, 1921, relating to animals running at large within herd districts," respectfully report as follows: That House Bill No. 82 be amended as follows:

That in Section 1, line 23, after the word "bull" insert the words "over one (1) year of age," and as amended we recommend that House Bill No. 82 do pass.

HANSON, Chairman.

On motion of Hanson, report adopted.

Mr. Speaker: We, your Committee on Agriculture, having had under consideration House Bill No. 36, a Bill for an Act entitled: "An Act to amend Section 3384 of the Revised Codes of Montana of 1921, relating to the creation of herd districts," respectfully report as follows: That House Bill No. 36 be amended as follows:

That after line 30 of Section 1 the following be inserted:

"Provided that when a proposed district adjoins an incorporated city or town, and is not less than three miles wide in any place, and has an area of not less than twelve square miles, districts of lesser area than fifty-four square miles may be created,"

and that in line 39 of Section 1 the word "receive" be stricken, and in lieu thereof the word "remove" be inserted, and as amended we recommend that House Bill No. 36 do pass.

HANSON, Chairman.

On motion of Hanson, report adopted.

January 19th, 1925.

Mr. Speaker: We, your Committee on Employment, recommend the appointment of the following:

Stenographers—Margaret Wing, Margaret White, Susie Sennett.

Assistant Bill Clerk—Ruth Swearingen.

Transfer—To General Stenographers, Minnie Bowers; Assistant to Chief Clerk, Laura Winkler.

DAVIS, Chairman.

On motion of Davis, report adopted.

#### INTRODUCTION OF BILLS AND MEMORIALS

The following bills were introduced, read first and second times and referred to committees as follows:

House Bill No. 106, by Flynn and White: A Bill for an Act entitled: "An Act requiring the registration of all colonies of honey bees; providing a method of registering and of collecting fees; requiring the posting of registration certificates; and authorizing the expenditure of funds arising from registration fees." Referred to Ways and Means Committee.



House Bill No. 107, by Fairgrieve: A Bill for an Act entitled: "An Act providing for a monthly maintenance allowance for persons receiving vocational rehabilitation and training under the provisions of Sections 3044 to 3051, Revised Codes of Montana of 1921, and defining the terms and conditions of such allowance." Referred to Military Affairs.

House Bill No. 108, by Davis, Flachsenhar, McAfee, Moss, Smith (Beaverhead), and Waite: A Bill for an Act entitled: "An Act to amend Section 687 of the Revised Codes of Montana of 1921, relating to the number of ballots to be provided for each precinct in general elections." Referred to Privileges and Elections.

House Bill No. 109, introduced by Ainsworth: A Bill for an Act entitled: "An Act to amend Sections 2837, 2862, 2863, 2865, 2866, 2867, 2870, 2891, 2898, 2900, 2912, 2913, 2914, 2915, 2916, 2917, 2918, 2919, 2920 and 2923, of the Revised Codes of Montana, 1921, and to add one new section to be designated 2290A, relating to the Workmen's Compensation Law; defenses not excluded in personal injury action against employer in non-hazardous occupation and certain other occupations; defining 'employee' and 'workman'; defining 'beneficiary'; defining 'major dependent'; defining 'minor dependent'; defining 'injury' or 'injured' and providing for the inclusion of certain occupational diseases; for the payment of compensation to children up to the age of eighteen years; for the payment of compensation to parent or guardian; providing exception in case of minors and incompetents as to period of limitation; compensation for injury producing temporal total disability; compensation for injury producing total disability permanent in character; compensation for partial disability and providing for rating or percentage of disability; compensation for injury causing death; providing for additional compensation in case death occurs while employee is drawing or entitled to draw compensation payment; providing for medical and hospital service; compensation from what date paid; compensation to run consecutively and relating to compensation payments to certain major and minor dependents; compensation in cases of specified injuries; providing for payment of compensation in cases of second injuries and creating a special fund for such cases; permitting employers in certain non-hazardous occupations to elect to comply and come under the provisions of Plan 3 of this Act and fixing the classification of such employers and employees; and repealing all Acts and parts of Acts in so far only as the same may conflict herewith." Referred to Workmen's Compensation.

House Bill No. 110, introduced by Burns: A Bill for an Act entitled: "An Act to amend Section 9810 of the Revised Codes of Montana of 1921, relating to the payment of any fee or amount in advance by officers of the state, county or municipality during the prosecution or defense of an action and also to the fixing of costs in such an action." Referred to Judiciary Committee.

House Bill No. 111, introduced by Burns: A Bill for an Act entitled: "An Act to amend Section 9858 of the Revised Codes of Montana of 1921, relating to judgments, costs and damages for mandamus proceedings." Judiciary.

House Bill No. 112, introduced by Loble: A Bill for an Act entitled: "An Act to amend Section 9832 of the Revised Codes of the State of Montana of 1921, relating to when an appeal may be taken to the Supreme Court of Montana." Referred to Judiciary Committee.

House Bill No. 113, introduced by Plank: A Bill for an Act entitled: "An Act imposing a lien on real estate to secure judgments obtained on certain bonds and undertakings, and providing for the filing of such bonds and repealing Section 12165 of the Montana Revised Codes of 1921." Judiciary Committee.

House Bill No. 114, introduced by Hedrick: A Bill for an Act entitled: "An Act to amend Sections 44 and 45 of the Revised Codes of Montana of 1921, relating to apportionment of membership and representation of the several counties in Montana in the House of Representa-

tives of the Legislative Assembly of Montana, and to fix the number of members thereof after the expiration of the Nineteenth Session." Apportionment and Representation.

House Bill No. 115, introduced by Loble and Keeley: A Bill for an Act entitled: "An Act to repeal Section 11252 of the Revised Codes of Montana, 1921, relating to riding or driving faster than a walk on public bridges." Public Safety Committee.

House Bill No. 116, introduced by Lincoln: A Bill for an Act entitled: "An Act requiring the labeling of all cloth, fabrics, garments or articles of apparel sold or offered for sale in this state which contain wool, or purport to contain wool; to provide penalties for the violation of this law and to repeal all Acts and parts of Acts in conflict herewith." Improvements and Manufacturing Committee.

House Bill No. 117, introduced by Duncan: A Bill for an Act entitled: "An Act regulating the sale of goods, wares and merchandise in bulk." Improvements and Manufactures.

House Bill No. 118, introduced by Holt: A Bill for an Act entitled: "An Act to amend Section 1013 of the Revised Codes of Montana of 1921, relating to transfer of apportionment." Education Committee.

House Bill No. 119, introduced by Besancon, Hanson and Hoffman: A Bill for an Act entitled: "An Act amending Sections 4056 and 4061 of the Revised Codes of Montana of 1921, and making the Commissioner of Agriculture of the Department of Agriculture, Labor and Industry of the State of Montana ex-officio Real Estate Commissioner." Committee on Agriculture.

House Bill No. 120, introduced by McCarty: A Bill for an Act entitled: "An Act to amend Sections 6059 and 6060 of Chapter 13, of the General Banking Act, of the Revised Codes of Montana of 1921, relating to limitation on loans and loans to managing officer, director, or intimate relatives." Referred to Banks and Banking Committee.

House Bill No. 121, introduced by Fitzgerald: A Bill for an Act entitled: "An Act permitting defendants in criminal actions and proceedings and in quasi-criminal actions and proceedings to disqualify judicial officers, providing the manner in which such shall be done, and the procedure after such disqualification." Referred to Judiciary Committee.

House Bill No. 122, introduced by Smith and Nagle by request: A Bill for an Act entitled: "An Act to amend Section 10639 of the Revised Codes of Montana of 1921, relating to affidavits to be used in the State of Montana." Referred to Judiciary Committee.

House Bill No. 123, introduced by Holt: A Bill for an Act entitled: "An Act to provide for the submission to the qualified electors of the State of Montana an amendment to Article XII of the Constitution of the State of Montana, relating to revenue and taxation by adding a new section thereto, providing for the levying of taxes for the purpose of insuring growing crops against loss or damage by hail." Referred to Agriculture Committee.

Mr. Wold asked that he be permitted to introduce, without previous notice, House Bill No. 124. There being no objections such privilege was granted and House bill introduced by Appropriations Committee was read first and second times by title only and referred to Appropriations Committee.

House Bill No. 124, introduced by Appropriations Committee: A Bill for an Act entitled: "An Act appropriating money for the purpose of purchasing certain volumes of Montana Reports." Referred to Appropriations Committee.

There being no objections, House reverted to Order of Business No. 6:



## CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

The following messages were received from the Senate:

Moved by Loble, duly seconded and carried, that messages from Senate be considered at length, and the Journal so show.

Helena, January 19, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Bill No. 1, introduced by Speer, relating to the publishing of the decisions of the Supreme Court, has been read three several times, title agreed to, and is herewith transmitted to the House for concurrence.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, January 19, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Notices were this day given:

By McCone and Oliver: "An Act to amend Section 6028 of the Revised Codes of Montana of 1921, relating to selection of officers of commercial state banks."

By McQuitty: "An Act to amend Sections 1755, 1756, 1757, 1758, 1759, 1760, and 1861, Revised Codes of Montana, 1921, all relating to the registration and identification of motor vehicles and operators thereof."

By McQuitty: "An Act relating to free text books for school districts and county high schools; providing for the purchasing and furnishing of the same and for the levying of a special tax for such purposes; providing for penalty for the violation of the provisions of this Act and repealing Sections 1198 and 1199 of the Revised Codes of Montana, 1921."

By Dell: "An Act relating to the borrowing of money, contracting of indebtedness and issuing of bonds by incorporated cities and towns, and repealing Sections 5278, 5279, 5280, 5281, 5282, 5283, 5284, 5285, 5286, 5287 and 5288, Revised Codes of Montana, 1921."

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, January 19, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following bills were this day introduced, read first and second times and referred to the standing committees:

S. B. No. 20, by Stewart: "An Act to amend Section 9927 of the Revised Codes of Montana of 1921, relating to the dissolution of corporations by the district court." Judiciary Committee.

S. B. No. 21, by McCone and Oliver: "An Act to amend Section 6023 of the Revised Codes of Montana, 1921, relating to the amount of the capital stock of a commercial bank." Banks and Banking Committee.

S. B. No. 22, by Stewart: "An Act to amend Section 5916 of the Revised Codes of Montana of 1921, providing for continuance of corporate existence by domestic corporations." Judiciary Committee.

S. B. No. 23, by Church: "An Act to amend Section 5918 and Section 5926 of the Revised Codes of Montana of 1921, relating to the extension of the term of existence of corporations." Judiciary.

S. B. No. 24, by Dell: "An Act to amend Section 4482, Revised Codes of Montana, 1921, relating to contracts for county printing." Judiciary.

S. B. No. 25, by Walker: "An Act to validate and make legal certain county warrants drawn on the poor funds of the respective counties of the State of Montana for services actually rendered or for goods or materials actually furnished, which warrants were drawn and registered since the passage and approval of Chapter 209 of the Session Laws of 1920, passed by the Seventeenth Legislative Assembly of the State of



Montana and without compliance with said chapter, and to authorize payment of same." Committee on Finance and Claims.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, January 19, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the motion by Caplis asking that a committee of five be appointed to act as a Conference Committee with the sub-committee of five of the Appropriations Committee of the House for the detailed consideration of deficiency and old claims was read, and on motion, referred to the Committee on Finance and Claims.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, January 19, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the standing committees have made the following reports:

Committee on Printing report that S. B. No. 7, S. R. No. 3 and S. B. No. 2 have been returned from the printer correctly printed.

Committee on Engrossing report that S. B. No. 1 has been correctly engrossed.

Committee on Corporations other than Municipal report that S. B. No. 17 by Church do pass.

Committee on Federal Relations report that S. J. R. No. 3, by Scofield, be recommended for passage.

Respectfully,

J. F. CONE, Secretary of Senate.

Senate Bill No. 1 by Speer was referred by Speaker to Judiciary Committee.

Moved by Ruffcorn, duly seconded and carried, that House resolve itself into Committee of the Whole for consideration of General Orders.

#### CONSIDERATION OF GENERAL ORDERS

Mr. Loble in the chair.

Moved by Ruffcorn, duly seconded and carried, that committee arise and report and ask leave to sit again.

Committee arose.

Mr. Speaker in the chair.

Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bills Nos. 3, 5 and 6, respectfully report as follows:

House Bill No. 3 be amended as follows:

Section 1, by striking out the word "total" where it is found in line thirteen of the printed bill, and line nineteen of the typewritten bill as introduced, and insert in lieu thereof the word "original"; also by striking out the words "paid in," in line fourteen of the bill as printed, being line nineteen of the typewritten bill, and as amended that House Bill No. 3 do pass.

House Bill No. 5, do pass.

House Bill No. 6, be amended as follows:

Section 1. Add after the word "designated" the following: To a person over the age of eighteen (18) years, and by adding at the end of Section 1 a new paragraph worded as follows: "Any person, either principal or agent, who sells, barter, exchanges, distributes, gives away, or in any manner disposes of any of the drugs mentioned in the section above

designated, contrary to the provisions of said sections of the Revised Codes of Montana of 1921, to any person of the age of eighteen (18) years, or under, shall upon conviction be punished by imprisonment in the State Prison for not less than five years nor more than life."

Add another section to be known as "Section 2." All Acts and parts of Acts in conflict herewith are hereby repealed.

Change Section 2 to read "Section 3,"  
and as amended that House Bill No. 6 do pass.

LOBLE, Chairman.

Moved by Loble, duly seconded and carried, that report be adopted.

Moved by Ruffcorn, duly seconded and carried, that House recess until 1:30 P. M.

#### AFTERNOON SESSION

House resumed at 1:30 P. M.

Mr. Speaker in the chair.

Committee on Printing reported as follows:

Mr. Speaker: We, your Committee on Printing, beg leave to report the following bills correctly printed:

House Bills Nos. 65, 68, 74, 80, 81 and 83.

FRED W. ZEH, Chairman.

#### CONSIDERATION OF GENERAL ORDERS

Moved by Ruffcorn, duly seconded and carried, that House resolve itself into Committee of the Whole for further consideration of General Orders.

Mr. Loble in the chair.

Committee arose.

Mr. Speaker in the chair.

Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bills Nos. 14, 34, 44, 50, 55, and 57, respectfully report as follows:

That House Bill No. 14 be amended as follows:

Section 1. By striking out all that portion of Section 1 of said bill, commencing with the words "the holder" in line 5 thereof, and ending with words "then due" in line 10 thereof, and by inserting in lieu thereof the following: "written notice of such rejection shall be given in the manner provided for in Sections 9779 to 9781 inclusive of the Revised Codes of Montana of 1921, by the executor or administrator, to the holder of such claim or to the person filing or presenting the same, and the holder must bring suit in the proper court against the executor or administrator within three months after the date of service of such notice, if the claim be then due."

Section 2. By striking out in line 1 the word "inconsistent" and inserting in lieu thereof the words "in conflict,"  
and that as so amended, House Bill No. 14 do pass.

House Bill No. 34, do pass.

House Bill No. 44, do pass.

House Bill No. 50, do pass.

House Bill No. 55, be amended as follows:

Section 1. By striking out in line 14 of the printed bill after the word "for" the words "work or labor done or."

By placing a semi-colon (;) after the word "mortgage" in line 13, rewriting the word "except" in line 13, omitting capital therefrom and

also by inserting after the word "thereon" in line 18 the words "and also excepting any other lien given priority by statute."

Section 3. By adding the word "Act" in line one after the word "This,"

and that as amended House Bill No. 55 do pass.

House Bill No. 57, do pass.

LOBLE, Chairman.

Moved by Loble, duly seconded, that report be adopted.

Moved by Beadle, duly seconded, as substitute motion, that House Bill No. 57 be segregated from the report.

Question arising on substitute motion, roll call is demanded by Beadle, and motion was lost by the following vote:

Ayes: Anderson, Beadle, Caplis, Clarke, Cusick, Doran, Fitzgerald, Flachsenhar, Flynn, Fox, Hardcastle, Joffray, Keeley, Kelly, Kinville, Larsen (A. T.), Larson (Robt.), Lincoln, Loble, Mulholland, Nagle, Smith (Beaverhead), Tinsley, Troy. Total—24.

Noes: Ainsworth, Akofer, Andrus, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Castles, Davis, Dellwo, Donaldson, Duncan, Fairgrieve, Fitzgarrald, Fletcher, Gordon, Graybill, Green, Hanson, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Johnson (Fergus), Johnson (Valley), Kennedy, Larson (Cascade), Leavens, Lemmon, Masters, Meagher, Merritt, Miller, Moriarty, Moss, Murphy, McAfee, McCarty, McGrath, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Rice, Ruffcorn, Rupert, Ryder, Sales, Schoening, Shields, Smith (Lewis and Clark), Steeves, Stoddard, Strange, Throssel, Waite, Walker, Walton, White, Wold, Wuerthner, Zeh. Total—72.

Absent and not voting: Eaton, Morris, Moulton, Reed. Total—4.

Question arising on original motion to adopt. Same carried.

There being no objections House reverted to Order of Business No. 2.

## NOTICES

Authors gave notice that they will on tomorrow or some subsequent day introduce bills as follows:

By Troy: A Bill for an Act entitled: "An Act providing for the supervision and regulation of the transportation of persons and property for compensation over any public highway in the State of Montana by motor vehicles, motor trucks, motor busses, bus trailer, semi-trailers, and other motor vehicles; defining what constitutes transportation for compensation; defining transportation companies; and providing for the supervision and regulation thereof by the public service commission of Montana, and repealing Chapter 154 of the Laws of 1923 relating to the same subject and providing and imposing upon motor vehicles engaged in transportation for compensation, a license tax for the maintenance and upkeep of public highways; providing for the enforcement of this Act and the punishment for violation thereof."

By Beadle: A Bill for an Act entitled: "An Act to require all foreign Building and Loan Associations and corporations doing business in the State of Montana to invest at least one-half of the proceeds collected from its members or policy holders in this state in real estate loans, and providing penalties for violation thereof."

By McAfee: A Bill for an Act entitled: "An Act to amend Section 1533, 1536 and 1546 of the Revised Codes of Montana, 1921, relating to the appointment of officers, rules, regulations, salaries, suspension of subordinates, admission of wives and widows of soldiers and sailors at Soldiers' Home."

There being no objections House took up Order of Business No. 5.



## INTRODUCTION OF BILLS AND MEMORIALS

The following bill was introduced, read first and second times by title only and referred to Committee on Banks and Banking:

House Bill No. 125, introduced by Caplis, Beadle, Fitzgarrald, Ainsworth, Mulholland and Tinsley: A Bill for an Act entitled: "An Act providing for the organization and supervision of co-operative saving and credit association to be termed 'Credit Union,' and defining their powers." Referred to Banks and Banking.

The following memorials were introduced, read first and second times and referred to committees as follows:

House Memorial No. 2, introduced by Hanson and Gordon: "Memorial to the members of the Tariff Commission of the United States opposing reduction in rates of duty on linseed oil and flax." Referred to Ways and Means.

House Joint Memorial No. 2, introduced by McCarty: "Memorial to the Senate of the United States of America in Congress assembled that immediate action be taken leading to the participation of the United States in the permanent Court of International Justice." Referred to Committee on Federal Relations.

At request of Ruffcorn, there being no objections, House reverted to Order of Business No. 6.

## MOTIONS AND RESOLUTIONS

Moved by Ruffcorn, duly seconded and carried, that 100 additional copies of House bills be printed.

Moved by Loble, duly seconded, that House Bill No. 8 be printed and placed on General Orders.

Question arising, motion is lost.

Moved by Ruffcorn, duly seconded and carried, that House adjourn until 11:00 A. M., January 21, 1925.

R. C. BRICKER, Speaker.

Attest: H. J. FAUST, Chief Clerk.

## SEVENTEENTH DAY

House of Representatives,  
Helena, Montana, January 21, 1925.

House met pursuant to adjournment at 11:00 A. M.

Mr. Speaker in the chair.

Prayer by the Chaplain.

On roll call all present except: Robert Larson and Schoening, excused on account of sickness.

The Committee on Journal reported as follows:

Mr. Speaker: We, your Committee on Journal, have this day examined the Journal for the sixteenth Legislative day and found the same correct.

E. J. PARKIN, Vice Chairman.

Moved by Parkin, duly seconded and carried, that report be adopted.

## COMMUNICATIONS AND PETITIONS

The following communication was received from Federation of Labor:

WHEREAS, There is now before the Legislature of the State of Montana a proposition for an amendment to the Constitution of the United States, relative to child labor, and

WHEREAS, Organized labor has always been opposed to the exploitation of children in gainful occupations; and

WHEREAS, The A. F. of L. has for many years, through its late lamented leader, Samuel Gompers, endeavored by every means within its power, to have such a law adopted, NOW, THEREFORE, BE IT

RESOLVED, By the Helena Trades and Labor Council, that we earnestly request the Legislature of the State of Montana to go on record as favoring such an amendment; also

RESOLVED, That we condemn the attempt of the Associated Industries of Montana, through its spokesman, George I. Martin, to oppose such amendment as being un-Christian, un-American, and inimical to the best interests of the coming generation, inasmuch as we believe their sole desire lies in the wish to exploit the labor of children for personal gain or aggrandisement. They are but following the example set by the Manufacturers' Association, of the United States, who, through its President is spreading propaganda throughout the country that such an amendment will be detrimental to the farmers, knowing such statement to be untrue. Also further

RESOLVED, That we are unable to conceive how any American citizen can believe in the using of that which is produced by the labor of underpaid, underfed and ill-clothed children in the sweat shops and factories, and then appear before their Savior, who when on earth said: "Suffer little children to come unto Me, and forbid them not, for of such is the Kingdom of Heaven."

J. NORT WHITE, President.

JAMES ANDERSON, Secretary.

Also the following:

Helena, January 19, 1925.

NOTICE: There will be a public hearing of the Labor Committee to consider the Child Labor Amendment in the Blue Room at the Placer Hotel this evening at 8:00 P. M.

FAIRGRIEVE.

### NOTICES

Authors gave notice that they will on tomorrow or some subsequent day introduce bills as follows:

By Loble: A Bill for an Act entitled: "An Act to amend Section 3210 of the Revised Codes of Montana of 1921, and to amend Chapter 228 of the Revised Codes of Montana, 1921, by adding thereto one new section to be known as Section 3211A, providing for the annual renewal of certificates of registration of nurses and fixing the fee therefor."

By Committee on Insurance: A Bill for an Act entitled: "An Act prescribing the powers and duties of the State Fire Marshal; and amending Section 2737, Chapter 209." (Substitute House Bill No. 72).

By Committee on Irrigation and Water Rights: A Bill for an Act entitled: "An Act to amend Chapter 129 of the Session Laws of the Seventeenth Legislative Assembly, as amended by Chapter 109 of the Session Laws of the Eighteenth Legislative Assembly, providing for the delay or cessation of the construction of drainage works; the dissolving of drainage districts; stopping expenses in connection therewith; providing procedure how same shall be done, and apportioning the costs of the expense of such work, and debts of said district."

By Flynn, by request: A Bill for an Act entitled: "An Act to repeal Sections 2808, 2809, 2810, 2811 of the Revised Codes of Montana of 1921, relating to the storage and transportation of explosives."

By Nelstead: A Bill for an Act entitled: "An Act to amend Section 12223 of the Revised Codes of Montana, of 1921, relating to the dismissal of criminal actions."

By Loble and Keeley: A Bill for an Act entitled: "An Act to repeal Section 11295 of the Revised Codes of Montana, 1921, relating to leaving the state with the intent to witness a prize fight."

By Rice: A Bill for an Act entitled: "An Act to amend Sections 2269 and 2270 of the Revised Codes of Montana of 1921, relating to the payment of taxes under protest and actions to recover on same."

By Beadle, Campbell, Fitzgerald (Silver Bow), Flachsenhar, Keeley: A Bill for an Act entitled: "An Act to amend Section 11955 of the Revised Codes of Montana of 1921, relating to the number of peremptory challenges."

By Ainsworth: A Bill for an Act entitled: "An Act to amend Chapter 14 of the Revised Penal Code of Montana of 1921 by adding thereto two new sections to be known as Section 11775A, relating to change of venue, and Section 11775B, relating to transfer of papers and proceedings, and repealing all Acts and parts of Acts in conflict herewith."

By Ainsworth and Campbell: A Bill for an Act entitled: "An Act to amend Section 12223 of the Revised Codes of Montana of 1921, relating to the dismissal of criminal actions, and repealing all Acts and parts of Acts in conflict herewith."

By Ruffcorn, Besancon, Johnson (Valley), Burns, Brandt: A Bill for an Act entitled: "An Act relating to the admission in evidence of general reputation in the trial of certain cases."

By Fitzgerald: A Bill for an Act entitled: "An Act permitting trial by jury in all actions and proceedings arising under Section 9698 of the Code of Civil Procedure, Revised Codes of Montana of 1921; also Section 9908, Code of Civil Procedure, Revised Codes of Montana of 1921; also Section 10944 of the Penal Code of the State of Montana, Revised Codes of Montana of 1921, when the alleged contempt (indirect contempt) is not committed in the immediate view or presence of the justice, judge or court."

By Walker: A Bill for an Act entitled: "An Act to change the name of Crooked Creek in Fergus and Petroleum counties, State of Montana, to Sakakawea Creek."

## REPORTS OF STANDING COMMITTEES

The following reports were received from standing committees:

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 45, introduced by Ainsworth, a Bill for an Act entitled: "An Act relating to bank depository bonds with personal sureties thereon and providing for the acceptance of notes properly secured in settlement of liability, and repealing all Acts and parts of Acts in conflict herewith," respectfully report as follows: That House Bill No. 45 do pass.

DONALDSON, Chairman.

On motion of Donaldson, report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 71, introduced by Kennedy, a Bill for an Act entitled: "An Act to amend Section 4885 of the Revised Codes of Montana, 1921, relating to mileage and expenses of sheriffs," respectfully report as follows: That House Bill No. 71 do not pass.

DONALDSON, Chairman.

Moved by Donaldson, duly seconded, that report be adopted.

Moved by Kennedy, duly seconded as substitute motion, that House Bill No. 71 be printed and placed on General Orders.

Question arising on substitute motion to print House Bill No. 71, motion is lost.

Question arising on original motion, same carried.

Mr. Speaker: We, your Committee on Labor, having had under con-



sideration House Joint Resolution No. 1, respectfully report as follows: That House Joint Resolution No. 1 do pass.

FAIRGRIEVE, Chairman.

On motion of Fairgrieve, report is adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 87, introduced by Budas, a Bill for an Act entitled: "An Act fixing the per diem and compensation of county surveyors," respectfully report as follows: That House Bill No. 87 do not pass.

DONALDSON, Chairman.

On motion of Donaldson, report is adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 70, introduced by Wuerthner, a Bill for an Act entitled: "An Act to amend Section 4916 of the Revised Codes of Montana, 1921, relating to the fees of sheriffs," respectfully report as follows: That House Bill No. 70 do not pass.

DONALDSON, Chairman.

On motion of Donaldson, report is adopted.

Mr. Speaker: We, your Committee on Improvements and Manufacturing, having had under consideration House Bill No. 103, introduced by Loble and Keeley, a Bill for an Act entitled: "An Act to repeal Sections 3040, 3041, 3042 and 3043 of Chapter 215 of the Revised Codes of Montana of 1921, which requires certain employers to make reports to the Industrial Accident Board concerning alien and illiterate employees, and authorizes said board to prescribe rules and regulations and to fix penalties with reference thereto," respectfully report as follows: That House Bill No. 103 do pass.

DUNCAN, Chairman.

On motion of Duncan, report adopted.

Mr. Speaker: We, your Committee on Improvements and Manufacturing, having had under consideration House Bill No. 116, introduced by Lincoln: A Bill for an Act entitled: "An Act requiring the labeling of all cloth, fabrics, garments or articles of apparel sold or offered for sale in this state which contain wool, or purport to contain wool; to provide penalties for the violation of this law and to repeal all Acts and parts of Acts in conflict herewith," respectfully report as follows: That House Bill No. 116 do not pass.

DUNCAN, Chairman.

On motion of Duncan, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 104, introduced by Johnson, Schoening and Ryder: A Bill for an Act entitled: "An Act to repeal Section 11567 of the Revised Codes of Montana of 1921, relating to exhibition of crimes prohibited," respectfully report as follows: That House Bill No. 104 do not pass.

BURNS, Chairman.

On motion of Burns, report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 52, introduced by Duncan: A Bill for an Act entitled: "An Act to amend Section 5039 of the Revised Codes of Montana of 1921, relating to the powers of City Councils, by inserting in paragraph No. 45 thereof, after the word "Place" in the first line, the words "Within or," and by adding a new paragraph thereto to be known as paragraph "83" giving the city and town councils power to declare and determine what vegetation, within the city or town, shall be noxious weeds and to provide the manner in which they shall be exterminated, and for levying the cost of such extermination or removal as a special tax against the

property," respectfully report as follows: That House Bill No. 52 do pass.

CLARKE, Chairman.

On motion of Clarke, report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 102, introduced by Loble: A Bill for an Act entitled: "An Act to amend Section 5138 of the Revised Codes of Montana of 1921 with reference to the hours of work of members of fire department in cities of first, second and third class," respectfully report as follows: That House Bill No. 102 do not pass.

CLARKE, Chairman.

Moved by Clarke, duly seconded, that report be adopted.

Moved by Larsen, duly seconded, as substitute motion that House Bill No. 102 be printed.

Question arising on substitute motion, motion failed.

Question arising on original motion, same carried.

Mr. Speaker: We, your Committee on Irrigation and Water Rights, having had under consideration House Bill No. 29, introduced by Burns: A Bill for an Act entitled: "An Act relating to the irrigation districts, and amending and re-enacting Section 7166 of the Revised Codes of Montana of 1921, as amended by Section 1 of the Session Laws of 1923," respectfully report as follows: That House Bill No. 29, do pass.

With title of same amended to read as follows:

A Bill for an Act entitled: "An Act relating to the Irrigation Districts, and amending and re-enacting Section 7166 of the Revised Codes of Montana of 1921, as amended by Section 1 of Chapter 157 of the Session Laws of 1923, which relates to the Establishment, Organization and Government of Irrigation Districts; providing who may organize such districts and in what cases and requirements therefor."

STRANGE, Chairman.

On motion of Strange, report adopted.

Mr. Speaker: We, your Committee on Irrigation and Water Rights, having had under consideration House Bill No. 16, introduced by Ainsworth: A Bill for an Act entitled: "An Act to amend Chapter 26 of the Revised Civil Code of Montana of 1921 by adding thereto two new sections to be known as Section 7102A relating to abandonment of water by failure to use and Section 7102A relating to abandonment of surplus water sold; and repealing all Acts and parts of Acts in conflict herewith," respectfully report as follows: That House Bill No. 16 do not pass.

STRANGE, Chairman.

Moved by Strange, duly seconded, that report be adopted.

Moved by Ainsworth, as substitute motion, that House Bill No. 16 be referred to Judiciary Committee.

Question arising on substitute motion of Ainsworth, same carried.

### INTRODUCTION OF BILLS AND MEMORIALS

The following bills were introduced, read first and second times by title only, and referred to committees as follows:

House Bill No. 126, introduced by Akofer: A Bill for an Act entitled: "An Act to amend Section 270, Chapter 18, Revised Codes of Montana, 1921." Referred to Committee on Ways and Means.

House Bill No. 127, introduced by Ainsworth: A Bill for an Act entitled: An Act authorizing and requiring probation officers to perform certain additional duties; defining such duties; making it the duty of boards of County Commissioners to pay for the care or maintenance of certain children; authorizing probation officers to make arrests in cases of violation of any provision of the laws relating to wrongs to children and dumb animals; to investigate and enforce the laws pertaining to minor

children and dumb animals, and repealing all Acts and parts of Acts in so far as the same may conflict herewith." Referred to Committee on Public Morals, Charities and Reforms.

House Bill No. 128, introduced by Ainsworth: A Bill for an Act entitled: "An Act abolishing the State Bureau of Child and Animal Protection, and repealing Sections 336 to 349 inclusive of the Revised Codes of Montana of 1921 relating to the State Bureau of Child and Animal Protection." Referred to Committee on Public Morals, Charities and Reforms.

House Bill No. 129, introduced by Tinsley: A Bill for an Act entitled: "An Act requiring railroad companies doing business within the State of Montana promptly to transport and unload livestock at points of destination in the case of intrastate shipments, and empowering the Board of Railroad Commissioners of the State of Montana to make and promulgate from time to time suitable rules and regulations to carry out in detail the provisions of this Act, and to repeal all Acts and parts of Acts in conflict herewith, and providing a penalty for violation of the provisions of this Act or orders of said board pursuant thereto." Referred to Committee on Livestock and Public Ranges.

House Bill No. 130, introduced by Lincoln: A Bill for an Act entitled: "An Act to amend Chapter 21, Revised Codes of Montana, 1921, relating to the qualification, admission, license and disbarment of attorneys; amending Section 8937, Revised Codes of Montana, 1921; Section 8948, Revised Codes of Montana, 1921; and repealing Section 8949, Revised Codes of Montana, 1921. Referred to Judiciary Committee.

House Bill No. 131, introduced by Rice: A Bill for an Act entitled: "An Act to amend Section 2399 of the Revised Codes of Montana of 1921 as amended by Chapter 67 of the Laws of the Eighteenth Legislative Assembly, relating to the payment of the oil producers license tax and the distribution of same." Referred to Committee on Ways and Means.

House Bill No. 132, introduced by Loble and Keeley: A Bill for an Act entitled: "An Act to repeal Section 11258, of the Revised Codes of Montana, 1921, relating to spreading false rumors with the intent to affect the market price of property." Referred to Judiciary Committee.

House Bill No. 133, introduced by Loble: A Bill for an Act entitled: "An Act to repeal Section 11526 of the Revised Codes of Montana, 1921, relating to officers of fire departments issuing a false certificate of exemption." Referred to Committee on Affairs of Cities.

House Bill No. 134, introduced by Ruffcorn, Burns, Waite, Schoening, Campbell, Smith, Larsen, Johnson (Valley), Moss, McAfee, Holton, Strange, Graybill, Donaldson, Peterson, White, Bergstrom, Davis, Johnson (Fergus), Wold, Holt: A Bill for an Act entitled: "An Act to amend Sections 12394, 12395, 12396, 12397, 12398, 12399, 12400, 12402, 12404, 12405, 12406, 12407, 12409, 12410, 12412, 12413, of the Revised Codes of Montana of 1921, all relating to the issuance, service and return of search warrants and the disposition of articles seized thereon, and to amend Chapter 55 of the Revised Codes of Montana of 1921 by adding thereto certain sections to be known as sections 12414A, 12414B, 12414C, and 12414D, relating to appeals, evidence and procedure in connection with the issuance, service, return and disposition of articles seized thereon, and repealing Section 11071, Revised Codes of Montana, 1921, as amended by Chapter 116, Laws of the Eighteenth Legislative Assembly, and Sections 11104 and 11105, Revised Codes of Montana, 1921."

House Bill No. 135, introduced by Davis, Nelstead, Hanson, Ruffcorn and Troy: A Bill for an Act entitled: "An Act authorizing the attorney general to appoint an additional law clerk; prescribing the qualifications of such law clerk, and fixing the salary." Referred to Committee on Labor.

House Bill No. 136, introduced by Ruffcorn, Burns, Hanson, Waite, Gordon, Leavens, Schoening, Campbell, Graybill, Peterson, Donaldson, White, Bergstrom, Davis, Johnson, Wold, Holt: A Bill for an Act entitled: "An Act to amend Sections 11073 and 11107, Revised Codes of Montana of 1921, relating to the seizure and disposition of vehicles illegally transport-



ing intoxicating liquors and prohibiting the use of replevin or other process to take the same from the possession of the officer seizing the same." Referred to Committee on Judiciary.

House Bill No. 137, introduced by Kelly: A Bill for an Act entitled: "An Act to amend Section 2131, Revised Codes of Montana, 1921, relating to the assessment of railroads." Referred to Committee on Townships and Counties.

House Bill No. 138, introduced by Kelly: A Bill for an Act entitled: "An Act to amend Sections 1755, 1756, 1757, 1758, 1759, 1760 and 1761, Revised Codes of Montana, 1921, relating to the registration and identification of motor vehicles and operators thereof." Referred to Committee on Ways and Means.

House Joint Memorial No. 3, introduced by Hoffman and Hanson: "Memorial to the Congress of the United States of America to enact legislation to promote equality for agriculture under the American protective system in the case of those crops of which a normal surplus above domestic requirements is produced."

### MOTIONS AND RESOLUTIONS

Moved by Kelley, duly seconded and carried, that when Ways and Means Committee make its report regarding its findings as to feasibility of State Prison as a place for execution of criminals it embody in its report the report of Select Committee on House Bill No. 62.

Moved by Loble, duly seconded, that House Bill No. 8 be referred to Public Morals Committee.

Holt moved as substitute motion that House Bill No. 8 be sent to Judiciary Committee.

Moved by Wold, duly seconded that House Bill No. 8 be referred to Committee on Improvements and Manufacture.

Moved by Wold, duly seconded and carried, that all prevailing motions be laid on the table.

Moved by Fox, duly seconded, that House Bill No. 6 be taken from Engrossing Committee and be referred to Committee on Public Morals, Charities and Reforms. Question arising, motion is carried.

### CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

The following communications were received from the Senate:

Helena, January 20, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following motion, by Senator Hazelbaker, was adopted:

I move that communications from the House, relative to notice of introduction of bills, be not printed in the Senate Journal and that titles of House bills be omitted in copying House communications since the title is copied in the Senate Journal when the House bill is introduced into the Senate.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, January 20, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Bill No. 26, by McCone and Oliver, was this day read first and second time and referred to the Committee on Banks and Banking.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, January 20, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Notices of Bills were this day given:

By Oliver: "An Act to provide for the distribution of the moneys received from the gasoline license taxes."

By Oliver: "An Act to provide for the rate of interest to be paid by banks on public deposits."

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, January 20, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Employment appointed the following:

Filing Clerk, Sergeant-at-Arms Office—Paul McCormick.

Assistant Printing Clerk—Thos. Butler.

Proofreader—Luella Watson.

Page—Ashley O. Coulter.

Typists—R. A. Rust, Sam Etcharren, C. H. Rasmussen.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, January 20, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Investigating Committees were this day appointed by the President:

Highway Commission—Speer, chairman; Buttelman, Henderson.

Historical Library, Capitol Custodian—McCone, chairman; Mears, Muffly.

Respectfully,

J. F. CONE, Secretary of Senate.

Moved by Ruffcorn, duly seconded and carried, that the communications from the Senate be considered read at length and the Journal so show.

At request of Troy, there being no objections, House reverted to Order of Business No. 5:

## INTRODUCTION OF BILLS AND MEMORIALS

The following bill, House Bill No. 139, was introduced by Troy, read first and second times by title only, and referred to Committee on Railroads and Transportation.

House Bill No. 139, introduced by Troy: A Bill for an Act entitled: "An Act providing for the supervision and regulation of the transportation of persons and property for compensation over any public highway in the State of Montana by motor Vehicles, motor trucks, motor busses, bus trailer, semi-trailers, and other motor vehicles; defining what constitutes transportation for compensation; defining transportation companies; and providing for the supervision and regulation thereof by the public service commission of Montana, and repealing Chapter 154 of the Laws of 1923 relating to the same subject, and providing and imposing upon motor vehicles engaged in transportation for compensation a license tax for the maintenance and upkeep of public highways; providing for the enforcement of this Act and the punishment for violation thereof."

There being no objections House then reverted to Order of Business No. 2:

## NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce bills as follows:

By A. T. Larsen, by request: A Bill for an Act entitled: "An Act to amend Section 146 of the Revised Codes of Montana of 1921, relating to fees of religious and fraternal societies."

By McCarty: A Bill for an Act entitled: "An Act to amend Section 4530, Revised Codes of Montana, 1921, relating to the care and burial of

indigent, sick or injured persons; providing for the services of a physician and the payment of the expenses thereof."

Moved by Ruffcorn, duly seconded and carried, that House recess until 1:30 P. M.

### AFTERNOON SESSION

House resumed at 1:30 P. M.

Mr. Speaker in the chair.

On request of Moss, there being no objections, House reverted to Order of Business No. 4:

### REPORTS OF STANDING COMMITTEES

Reports of Standing Committees were received as follows:

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 49, introduced by Duncan: A Bill for an Act entitled: "An Act to amend Section number 1686 of the Revised Codes of Montana, 1921, regulating the letting of contracts for the improvement and construction of highways," respectfully report as follows: That House Bill No. 49 do pass.

MOSS, Chairman.

On motion of Moss, report adopted.

Mr. Speaker: We, your Committee on Insurance, having had under consideration House Bill No. 72, introduced by Flynn: A Bill for an Act entitled: "An Act prescribing the powers and duties of the State Fire Marshal amending Section 2737, Chapter 209. Creation of office of State Fire Marshal and establishing the duties," respectfully report as follows: That House Bill No. 72 do not pass and that substitute House Bill No. 72, introduced by the Committee on Insurance do pass.

FLYNN, Chairman.

On motion of Flynn, report adopted.

### CONSIDERATION OF GENERAL ORDERS

Ruffcorn moved, duly seconded and carried, that House resolve itself into Committee of the Whole for consideration of General Orders.

Mr. Wold takes the chair.

Committee arose.

Mr. Speaker in the chair.

Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bills Nos. 15, 20, 23, 24, 25, 32, 38, 41, 65 and 68, respectfully report as follows: That House Bill No. 15 be referred to Committee on Highways.

House Bill No. 20 be amended as follows:

Section 2, by striking out in line 18, "Where Born," "Age," "Height."

Section 6, by striking out in line 1 the words "from and after its passage and approval," and inserting in lieu thereof the words "from and after September 15, 1925."

And that as amended House Bill No. 20 do pass.

House Bill No. 23 be amended as follows:

Section 1, by striking out in line 14 the words "which date" and inserting in lieu thereof the words "the date of which call," and by striking out in line 16 the words "which date" and inserting in lieu thereof the words "the date of which call."

And that as amended House Bill No. 23 do pass.

House Bill No. 24 be re-referred to Ways and Means Committee.

House Bill No. 25 be amended as follows:



Section 1, by striking out in line 17 the words "in the proper space."

Section 3, by striking out Section 3.

And that as amended House Bill No. 25 do pass.

House Bill No. 32 be amended as follows:

Section 4, by striking out lines 1 and 2 thereof and inserting in lieu thereof the words "This Act shall be in full force and effect from and after July 1, 1925."

And that as amended, House Bill No. 32 do pass.

House Bill No. 38 be amended as follows:

Section 1, to read as follows: "387, The term of office of a notary public, commissioner after the passage of this Act, is five years from and after the date of his commission: Provided, however, that this Act shall not affect any commission heretofore issued."

And that as amended, House Bill No. 38 do pass.

House Bill No. 41 be amended as follows:

Section 4, by striking out said Section 4, and that as amended House Bill No. 41 do pass.

House Bill No. 65 be amended as follows:

Section 1, by striking out in line 14 the words "of fact."

Section 4, by striking out all of Section 4, and that as amended House Bill No. 65 do pass.

House Bill No. 68 be referred to Judiciary Committee.

WOLD, Chairman.

Moved by Wold, duly seconded that report be adopted.

Moved by Larsen of Sheridan, duly seconded, as substitute motion, that House Bill No. 24 be segregated from the report.

Question arising on substitute motion to segregate House Bill No. 24, Larsen having demanded a roll call, duly seconded, the motion carried, the vote being as follows:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Caplis, Cusick, Dellwo, Donaldson, Doran, Eaton, Fitzgerald (Silver Bow), Fletcher, Flynn, Graybill, Hanson, Hardcastle, Hoffman, Holton, Joffray, Kelly, Kinville, Larsen (Sheridan), Lincoln, Masters, Merritt, Moriarity, Morris, Mulholland, McAfee, McCarty, McGrath, Nelson, Patterson, Plank, Plumer, Rice, Fuffcorn, Rupert, Ryder, Steeves, Strange, Tinsley, Troy, Walton, White. Total—50.

Noes: Budas, Burns, Campbell, Castles, Clarke, Davis, Duncan, Fairgrieve, Fitzgarrald (Ravalli), Flachsenhar, Fox, Gordon, Green, Harris, Hawley, Hedrick, Higham, Holt, Johnson (Fergus), Johnson (Valley), Keeley, Kennedy, Larson (Cascade), Leavens, Lemmon, Loble, Meagher, Miller, Moss, Moulton, Murphy, Nagle, Nelstead, Parkin, Peat, Peterson, Reed, Sales, Smith (Lewis and Clark), Smith (Beaverhead), Stoddard, Throssel, Waite, Walker, Wold, Wuertner, Zeh. Total—47.

Absent and not voting: Larson (Sheridan), Schoening, Shields, Mr. Speaker. Total—4.

Moved by Wold, duly seconded and carried, that report of Committee of the Whole, as amended, be adopted.

Moved by Larsen, duly seconded, that House Bill No. 24 be placed on Third Reading.

Question arising on motion, roll call having been demanded, the motion carried by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Besancon, Brandt, Caplis, Clarke, Cusick, Dellwo, Donaldson, Eaton, Fitzgerald (Silver Bow), Fletcher, Flynn, Graybill, Hanson, Hardcastle, Hoffman, Holton, Joffray, Kelly, Kinville, Larsen (Sheridan), Masters, Merritt, Moriarity, Morris, Mulholland, McAfee, McCarty, McGrath, Nelson, Parkin,

Patterson, Plank, Plumer, Rice, Fuffcorn, Rupert, Ryder, Steeves, Strange, Throssel, Tinsley, Troy, Walton, White, Mr. Speaker. Total—51.

Noes: Berryman, Budas, Burns, Campbell, Castles, Davis, Doran, Duncan, Fairgrieve, Fitzgarrald (Ravalli), Flachsenhar, Fox, Gordon, Green, Harris, Hawley, Hedrick, Higham, Holt, Johnson (Fergus), Johnson (Valley), Keeley, Kennedy, Larson (Cascade), Leavens, Lemmon, Lincoln, Loble, Meagher, Miller, Moss, Moulton, Murphy, Nagle, Nelstead, Peat, Peterson, Reed, Smith (Lewis and Clark), Smith (Beaverhead), Stoddard, Waite, Walker, Wold, Wuerthner, Zeh. Total—46.

Absent and not voting: Larson, Robt. (Sheridan), Sales, Schoening, Shields. Total—4.

The Printing Committee reported as follows:

Mr. Speaker: We, your Committee on Printing, beg leave to report the following bills correctly printed:

House Bills Nos. 85, 66, 82, 47.

FRED W. ZEH, Chairman.

There being no objections House reverted to Order of Business No. 6:

### MOTIONS AND RESOLUTIONS

Moved by Ruffcorn, duly seconded and carried, that House meet in joint session with the Honorable Senate tomorrow at 11:00 A. M. at which time it is desired to give recognition to Private Robert A. Simpson for services in the World war. Private Simpson is one of the most decorated and distinguished ex-service men living in Montana.

Moved by Hedrick, duly seconded and carried, that House Bill No. 94 be taken from the Judiciary Committee and be referred to the Labor Committee.

Moved by Wold, duly seconded and carried, that House adjourn until 11:00 A. M., Thursday, January 22, 1925.

R. C. BRICKER, Speaker.

Attest: H. J. FAUST, Chief Clerk.

### EIGHTEENTH DAY

House of Representatives,  
Helena, Montana, January 22, 1925.

House met pursuant to adjournment at 11:00 A. M.

Mr. Speaker in the chair.

Prayer by the Chaplain.

On roll call all present except: Fletcher, absent; and Larson, Schoening and Murphy, excused on account of sickness.

The Journal Committee reported as follows:

Mr. Speaker: We, your Committee on Journal, have this day examined the Journal for the Seventeenth Legislative day and found the same correct.

E. J. PARKIN, Vice Chairman.

Moved by Parkin, duly seconded and carried, that report be adopted.

Moved by Ruffcorn, duly seconded and carried, that the chair appoint a committee of three to notify the Senate that the House is now ready to meet in joint session.

Mr. Speaker appointed such a committee as follows: Hanson, Ruffcorn, Lemmon.

The following report was received from the Engrossing Committee:

Mr. Speaker: We, your Committee on Engrossing beg leave to report the following bills correctly engrossed:

H. B. Nos. 44, 50, 34, 14, 5, 3, 55, House Memorial No. 1, and House Joint Resolution No. 2.

J. J. BERRYMAN, Chairman.

The following report was received from the Printing Committee:

Mr. Speaker: We, your Committee on Printing, beg leave to report the following bills correctly printed:

H. B. Nos. 26, 97, 89, 36, 64, 88, 93, House Memorial No. 1.

FRED W. ZEH, Chairman.

Committee to notify Senate, reports its duty performed.

Sergeant-at-Arms announces that the Honorable Senate awaits without to meet with House in joint session.

### JOINT SESSION

Lieutenant Governor McCormick in the chair.

Moved by Senator Hazelbaker, duly seconded and carried that a committee consisting of three members from the House and three members from the Senate be appointed to escort Private Robert Simpson to the rostrum.

The chair appointed Representatives White, Patterson and Shields, and Senators Shelver, Garber and Kane.

The chair introduced Senator Shelver, chairman of Military Affairs, who delivered an address and introduced Mr. M. J. Gilliland, department commander of the American Legion.

Mr. Gilliland delivered an eulogy on Robert Simpson.

Representative White read the following resolution:

Whereas, Robert A. Simpson was a private in company A, 16th Infantry, United States Army, during the great World war;

Whereas, The home of Robert A. Simpson at the time of his entrance into the World war was and at the present time is in the State of Montana;

Whereas, Robert A. Simpson was awarded by the government of the United States the following honors for heroism, gallantry and bravery in action: Distinguished Service Cross, Belgium Croix de Guerre, Six (6) Citations;

Whereas, These honors certainly rank Robert A. Simpson as one of the most distinguished soldiers this State gave to the nation in the World war; and to the knowledge of this body no other Montana soldier has been honored with so many decorations;

Now Be It Resolved, That on this 22nd day of January, 1925, at a joint session of the Senate and the House of Representatives, the State of Montana, through this Assembly, publicly recognizes the honorable and invaluable services rendered by Robert A. Simpson to his country in the Great war, and the high honors conferred on this State of Montana by the distinguished services of this soldier.

Now Be It Further Resolved, That a copy of these resolutions be spread upon the minutes of Journals of both the Senate and the House of Representatives.

WHITE.

Upon motion of White, above resolution was adopted.

Moved by Senator Hazelbaker, duly seconded and carried, that Joint Assembly be dissolved and Senate retire to its chambers.

Mr. Speaker in the chair.

Moved by Ruffcorn, duly seconded and carried, that House recess until 1:30 P. M.

### AFTERNOON SESSION

House resumed at 1:30 P. M.

Mr. Speaker in the chair.



The following report was received from the Engrossing Committee:

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed:

House Bill No. 57.

BERRYMAN, Chairman.

Authors gave notice that they would on tomorrow or some subsequent day introduce bills as follows:

By Holt: A Bill for an Act entitled: "An Act to amend Section 5161 of the Revised Codes of Montana, 1921, relating to the appointment and organization of Park Commission, records and reports."

By Committee on Livestock and Public Ranges: "House Joint Resolution, providing that fifty per cent of the grazing fee received during any fiscal year from National forests shall be paid to the State or Territory in which the National forest is located."

By Zeh: A Bill for an Act entitled: "An Act to amend Section 439 of the Revised Codes of Montana of 1921, providing for salaries of janitors, watchmen and engineers at the State Capitol, and providing for the salary of a carpenter employed at the State Capitol."

By Meagher and Shields: A Bill for an Act entitled: "An Act to amend Section 8275 of the Revised Codes of Montana as amended by Chapter 32 of the Session Laws of the Eighteenth Assembly relating to chattel mortgages."

By Peat, by request: A Bill for an Act entitled: "An Act to amend Section 3127 of the Revised Codes of Montana, 1921, relating to the practice of osteopathy by adding thereto a provision for an annual renewal license fee."

By Loble and Keeley: A Bill for an Act entitled: "An Act to repeal Section 11567, of the Revised Codes of Montana, 1921, relating to the exhibition of moving pictures depicting a felony."

By Smith (Lewis and Clark): A Bill for an Act entitled: "An Act repealing Section 9797 of the Revised Codes of Montana, 1921, relating to payment of costs by the losing party in all cases where a demurrer or motion is sustained or overruled."

By Nagle: A Bill for an Act entitled: "An Act to authorize the Supreme Court to regulate practice and procedure in the courts of record of Montana and repealing all Acts and parts of Acts in conflict herewith."

By Beadle: A Bill for an Act entitled: "An Act to repeal Chapter 44 to 54, inclusive, of Part III of the Code of Civil Procedure of the Revised Codes of Montana of 1921, including therein Sections 9619 to 9724, inclusive, of the Revised Codes of Montana of 1921, and to repeal said sections relating to proceedings in Courts of Justices of the Peace; and to enact in the place of said repealed chapters and sections, chapters to be known as Chapters 44, 45, 46, 47, 48, 49, 50, 51, 52, 53 and 54, of Part III of the Code of Civil Procedure of the Revised Codes of Montana of 1921, relating to procedure for Courts of Justices of the Peace, being a code of Civil Procedure for Courts of Justices of the Peace, containing in said Chapters, Sections, which Sections here enacted are to take the places and numbers of said repealed sections."

By Joffray: A Bill for an Act entitled: "An Act to amend Chapter 101 of Part III of the Political Code of Montana of 1921 by the enactment of a new section to be known as Section 1281A, providing that accredited High Schools maintained by joint school districts shall for all the purposes of said chapter be considered as situated in each county in which any part of said joint district is situated, regardless of the actual situs of such school; and providing for the apportionment of the proceeds of County High School tax levies to joint districts maintaining such High Schools, and defining the method of such apportionment."

By Wuerthner and Shields: A Bill for an Act entitled: "An Act to amend Section 3881 of the Revised Codes of Montana, 1921, defining a Public Utility."

At request of Beadle, there being no objections, House reverted to Order of Business No. 1:

### COMMUNICATIONS AND PETITIONS

The following communications were received:

Butte, Montana, December 28, 1924.

Resolution: Whereas, The Supreme Court of the United States has pronounced the law enacted by Congress to prohibit the product of child labor entering interstate commerce unconstitutional and thereby making it necessary to amend the Constitution of the United States in order to qualify such legislation; and

Whereas, We believe such legislation necessary to protect the future men and women of the nation in their childhood;

Therefore Be It Resolved, That this Union in regular meeting assembled, this 28th day of December, 1924, respectfully request the legislative delegation from Silver Bow County to labor for the ratification of such amendment by the legislature of the State of Montana.

BUTTE MINERS UNION No. 1, I. U. M. M. & S. W.,

Committee on Resolution:

J. V. O'LEARY,  
ANTON MALETA,  
E. G. HUNTLEY.

January 20, 1925.

Representative Beadle of Silver Bow County, at Helena.

Hon. Sir: The Butte Blacksmiths and Helpers' Union as a body of Montana citizens are asking you as their Representative in the House of the Nineteenth Legislative Assembly of the State of Montana, to earnestly support the ratification of the Child Labor Amendment to the Constitution of the United States of America.

The child of today is the citizen of tomorrow upon whose shoulders will fall the duty of carrying on the government of this Republic.

The illiterate man or woman is the outgrowth of child exploitation and if we are to maintain our high standard of citizenship, the child life of this country must be protected from the greed for gain through the exploitation of these little bodies. What is to be the future of our Republic if we stand by and see these young lives wasted in the work a grown person should be doing.

Hoping to have your hearty cooperation in this cause, we are ever for the advancement of American citizenship.

Yours truly,

ROBT. D. WRIGHT,  
Rec. Sec. Butte Local 456.

### REPORTS OF STANDING COMMITTEES

The following reports were received from standing committees:

January 20, 1925.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 124, introduced by the Appropriations Committee: A Bill for an Act entitled: "An Act appropriating money for the purpose of purchasing certain volumes of Montana Reports," respectfully report as follows: That House Bill No. 124 do pass.

O. M. WOLD, Chairman.

On motion of Wold, report adopted.

Mr. Speaker: We, your Committee on State Institutions and Public Buildings, having had under consideration House Bill No. 54, introduced by Andrus, Davis, Bergstrom, Nelstead, Holton, Flynn: A Bill for an Act entitled: "An Act establishing the Eastern Montana State Normal Col-

lege, defining the objects of its establishment, providing for the control, supervision and management thereof, and making the same a part of the University of Montana, and making an appropriation for renting, acquiring and equipping the necessary building therefor, and for the support, equipment and maintenance of said college," respectfully report as follows: That House Bill No. 54 be referred to Appropriations Committee.

J. J. BERRYMAN, Chairman.

On motion of Berryman, report adopted.

Mr. Speaker: We, your Committee on State Institutions and Public Buildings, having had under consideration House Bill No. 63, introduced by Eaton, Hoffman, Leavens, Gordon, Wold, Plumer, Fairgrieve, Merritt, Rupert and Fletcher: A Bill for an Act entitled: "An Act to establish the Eastern Montana State Normal School; defining its objects; designating the manner of its location; providing for the control, supervision and management thereof, amending Section 841 of the Revised Codes of Montana, 1921, so as to place the institution under the control of the State Board of Education, and amending Section 852 of the Revised Codes of Montana, 1921, so as to make said school a part of the University of Montana and providing for the selection of a site for the said school," respectfully report as follows: That House Bill No. 63 reported without recommendation.

J. J. BERRYMAN, Chairman.

Moved by Berryman, duly seconded, that report be adopted.

Moved by Flachsenhar, as substitute motion, duly seconded and carried, that House Bill No. 63 be referred to Committee on Education.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 110, introduced by Burns: A Bill for an Act entitled: "An Act to amend Section 9810 of the Revised Codes of Montana of 1921, relating to the payment of any fee or amount in advance by officers of the State County or a Municipality during the prosecution of defense of an action and also to the fixing of costs in such an action," respectfully report as follows: That House Bill No. 110 be amended as follows:

By adding in line 10, Section 1, between the words "county" and "as," the words "or municipality," and as amended do pass.

BURNS, Chairman.

On motion of Burns, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 111, introduced by Burns: A Bill for an Act entitled: "An Act to amend Section 9858 of the Revised Codes of Montana of 1921, relating to judgments, costs and damages for mandamus proceedings," respectfully report as follows: That House Bill No. 111 do pass.

BURNS, Chairman.

On motion of Burns, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 1, introduced by Speer: A Bill for an Act entitled: "An Act to amend Sections 380, 381, and 383 of the Revised Codes of Montana of 1921, relating to the publishing of the decisions of the Supreme Court, commonly known as the Montana Reports," respectfully report as follows: That Senate Bill No. 1 be concurred in.

BURNS, Chairman.

On motion of Burns, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 122, introduced by Smith and Nagle: A Bill for an Act entitled: "An Act to amend Section 10639 of the Revised Codes of Montana of 1921, relating to affidavits to be used in the State of Montana," respectfully report as follows: That House Bill No. 122 do pass.

BURNS, Chairman.

On motion of Burns, report adopted.



Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 113, introduced by Plank: A Bill for an Act entitled: "An Act imposing a lien on real estate to secure judgments obtained on certain bonds and undertakings and providing for the filing of such bonds and repealing Section 12166 of the Montana Revised Codes of 1921," respectfully report as follows: That House Bill No. 113 do not pass.

BURNS, Chairman.

On motion of Burns, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 112, introduced by Loble: A Bill for an Act entitled: "An Act to amend Section 9732 of the Revised Codes of Montana of 1921, relating to when an appeal may be taken to the Supreme Court of Montana," respectfully report as follows: That House Bill No. 112 do pass.

BURNS, Chairman.

On motion of Burns, report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration H. B. No. 126: A Bill for an Act entitled: "An Act to amend Section 270, Chapter, 18, Revised Codes of Montana, 1921, relating to investment of special funds in General Fund Warrants," respectfully report as follows: That House Bill No. 126 do pass.

TROY, Chairman.

On motion of Troy, report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 131: A Bill for an Act entitled: "An Act to amend Section 2399 of the Revised Codes of Montana of 1921, as amended by Chapter 67 of the Laws of the Eighteenth Legislative Assembly, relating to the payment of the oil producers license tax and the distribution of same," respectfully report as follows: That House Bill No. 131 do pass.

TROY, Chairman.

On motion of Troy, report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 92: A Bill for an Act entitled: "An Act to repeal Sections 3947 to 3952, Revised Codes, Montana, 1921, creating the Montana Irrigation Commission and making the Board of Railroad Commissioners of the State of Montana ex-officio the Montana Irrigation Commission thereby created; and providing against the repeal or amendment of Sections 3953 to 4025, inclusive, Revised Codes, Montana, 1921, by this repealing Act," respectfully report as follows: That House Bill No. 92 do pass.

TROY, Chairman.

On motion of Troy, report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 48: A Bill for an Act entitled: "An Act to amend Section 11186 of the Revised Codes of Montana, 1921, Chapter 34, relating to pawnbrokers," respectfully report as follows: That House Bill No. 28 do not pass.

TROY, Chairman.

On motion of Troy, report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 69: A Bill for an Act entitled: "An Act to amend Sections 12022, 12092, 12484 and 12485 of the Revised Codes of Montana of 1921, and to add one new section to be designated—Section 12485A, relating to imprisonment at hard labor in all cases of conviction for felony or misdemeanor where sentence of imprisonment is imposed: Providing that persons confined in county jails under a judgment of imprisonment rendered in a criminal action or proceeding shall be required to perform hard labor; providing that Board of County Commissioners

shall prescribe and enforce rules and regulations under which such labor shall be performed; and providing that a county jail shall extend to and over any place or places of employment of the persons confined therein under a judgment of imprisonment in a criminal action or proceeding, in the county where such jail is situated, and repealing all Acts and parts of Acts in conflict herewith," respectfully report as follows: That House Bill No. 69 do not pass.

TROY, Chairman.

Moved by Troy, duly seconded, that report be adopted.

Moved by Ainsworth, as substitute motion, duly seconded, that House Bill No. 69 be referred to Judiciary Committee.

Question arising on substitute motion, same failed.

Question arising on original motion that report be adopted, same carried.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Memorial No. 2: "Memorial to the members of the tariff commission of the United States opposing reduction in rates of duty on linseed oil and flax," respectfully report as follows: That Memorial No. 2 do pass.

TROY, Chairman.

On motion of Troy, report adopted.

Mr. Speaker: We, the majority of your Committee on Ways and Means, having had under consideration House Bill No. 62: A Bill for an Act entitled: "An Act to amend Section 12103 and 12104 of the Revised Codes of the State of Montana, 1921, relative to the imposition of the death penalty, providing where said execution shall take place and designating the person who shall inflict the death penalty, and providing for the return upon the death warrant," respectfully report as follows. That House Bill No. 62 be amended by striking out all of Section 5 of the bill, and when so amended the bill do pass.

The committee herewith submits the report of the investigation committee who visited Deer Lodge, for your consideration.

WM. CASTLES,  
F. L. GRAYBILL,  
D. C. MORRIS,  
HAWLEY,  
B. E. NELSON,  
E. A. HARDCASTLE,  
HANSON,  
HOFFMAN,  
A. J. PLUMER,  
J. H. McAFEE,  
DAVIS,  
L. McGRATH,  
TROY, Chairman.

We, your Committee sent to the City of Deer Lodge by the House for the purpose of making investigation in connection with House Bill No. 62, beg to report as follows:

That we spent the greater portion of Saturday, January 17th visiting amongst the people of Deer Lodge and in looking over the grounds and property at the State Prison and some of the prison farms.

In these various visits and discussions, we found a very united and especially honestly developed feeling of fear and regret on the part of the people of Deer Lodge, and also amongst the State officials at the prison, in anticipation of the possibility of the passage of the measure.

That in our opinion it would be neither feasible nor wise to erect a scaffold within the wall of the prison. This wall and the prison lies within the limits of the City of Deer Lodge. The wall is fourteen to sixteen feet high and surrounds ground two blocks long and over one block

wide. Upon this ground, and surrounded by this wall, all of the buildings in which the cells are housed and the buildings that accommodate the general living quarters of the prisoners and houses of recreation and worship, and places of general activity are built, and amongst them the lot or yard to which the prisoners, not confined in cells, have regular access. In fact the entire space within the wall is the home of the community in the State's charge at this point.

We cannot recommend that a scaffold should be built there. Further possibility would seem to lie in the erection of a wall enclosing sufficient space upon some other of the State's property adjacent or near to the prison. It was urged upon us that it would be necessary to add one or more death cells to the equipment now there and that this should be in conjunction with and at the location of this enclosure.

It was also pointed out to us, and with a very marked degree of conviction, that an execution, under the direction of the prison, would cast a pall over the prisoners for several weeks, both before and after its consummation.

We beg leave to remark at this point that the prison now is generally viewed as an institution of correction, more than as one of punishment. Without recommending that this adjunct to the prison be erected, we submit its possibility for consideration in connection with the bill.

We feel that attention should be called to the fact that the State's Prison is the agency created for carrying into effect the punishment or correction as imposed by the same courts that pronounce the death penalty, and there might be good argument that there is no good reason for making an exception of legal executions.

Other pertinent points occurring to us in consideration of this matter is the possible detrimental effect it might have upon the matter of securing the best type of man for Warden of the State's Prison, were his duties to be augmented by being also made the official executioner of the State. It was called to our attention that although the bill were amended to provide that Sheriffs of the various Counties should be present to assume this responsibility, that they might, notwithstanding such provision, absent themselves and thus throw the real responsibility upon the Warden. Your committee does not presume to pass any judgment or recommendation upon this point.

Your committee feels warranted in assuming that execution is not meted out as a punishment upon the perpetrator of the crime, but for the salutary effect it might have in lessening the crime of the future. We conclude upon this basis that it is but reason that the executions should be held at varying points throughout the State, and preferably in the community in which the crime was committed and by the officers in command of the court pronouncing the sentence. On the other hand, if all executions should be consummated at one point in the State, it is apparent that it would be very depressing to its people, and its commonness particularly detrimental to its youth. We observed here that the prison is a legacy to Deer Lodge of territorial days.

While it is the judgment of your committee that there would be no appreciable difference in the expense under the present law as compared with the provision of House Bill No. 62 except in the possible distribution as between County and State, we feel that the other phases in connection with the changes that would be involved so far outweigh the matter of possible difference of expense that it precludes it from serious consideration.

Respectfully submitted,

O. M. WOLD,  
ALBERT JOHNSON,  
BERGSTROM,  
Committee.

Mr. Speaker: We, a minority of your Committee on Ways and Means, having had under consideration House Bill No. 62: A Bill for an Act



entitled: "An Act to amend Section 12103 and 12104 of the Revised Codes of the State of Montana, 1921, relative to the imposition of the death penalty, providing where said execution shall take place and designating the person who shall inflict the death penalty, and providing for the return upon the death warrant," respectfully report as follows: That House Bill No. 62 do not pass.

O. M. WOLD.

Moved by Troy, duly seconded, that report of majority be adopted.

Moved by Wold, duly seconded, as substitute motion, that report of minority be adopted.

Report of Special Prison Committee, submitted with the majority report was read at length.

Question arising on the substitute motion by Wold, that minority report be adopted, same carried.

The following bills were introduced, read first and second times by title only and referred to committees as follows:

House Bill No. 140, introduced by Meagher and Merritt: A Bill for an Act entitled: "An Act fixing bounties upon certain predatory animals; prescribing the manner in which said bounties shall be paid; appointing bounty inspectors; prescribing the form of affidavit for bounty claim; creating a state bounty fund; providing for the disposition of surplus funds; declaring the false making, altering, figuring or counterfeiting of any certificate or claim or order to be forgery and providing a penalty therefor; Making other violations of this Act a misdemeanor and providing a penalty therefor; and repealing Chapter 73 of the Laws of the Eighteenth Legislative Assembly and amending Section 2081, Revised Codes of Montana, 1921, as amended by Chapter 73, Laws of the Eighteenth Legislative Assembly." Referred to Committee on Livestock and Public Ranges.

House Bill No. 141, introduced by Loble: A Bill for an Act entitled: "An Act to amend Section 3210 of the Revised Codes of Montana of 1921, and to amend Chapter 228 of the Revised Codes of Montana of 1921, by adding thereto one new Section to be known as Section 3211a, providing for the annual renewal of certificates of registration of nurses and fixing the fee therefor." Referred to Committee on Public Health.

House Bill No. 142, introduced by Loble and Keeley: A Bill for an Act entitled: "An Act to repeal Section 11295, of the Revised Codes of Montana, 1921, relating to leaving the State with the intent to witness a prize fight." Referred to Judiciary Committee.

House Bill No. 143, introduced by Ainsworth and Campbell: A Bill for an Act entitled: "An Act to amend Section 12223 of the Revised Codes of Montana of 1921, relating to the dismissal of criminal actions." Referred to Judiciary Committee.

House Bill No. 144, introduced by Ainsworth: A Bill for an Act entitled: "An Act to amend Chapter 14 of the Revised Penal Code of Montana of 1921 by adding thereto two new Sections to be known as Section 11775A relating to change of venue, and Section 11775B relating to transfer of papers and proceedings, and repealing all Acts and parts of Acts in conflict herewith." Referred to Judiciary Committee.

House Bill No. 145, introduced by Committee on Irrigation and Water Rights: A Bill for an Act entitled: "An Act to amend Chapter 129 of the Session Laws of the Seventeenth Legislative Assembly, as amended by Chapter 109 of the Session Laws of the Eighteenth Legislative Assembly, providing for the delay or cessation of the construction of drainage works; the dissolving of drainage districts; stopping expenses in connection therewith; providing procedure how same shall be done, and apportioning the costs of the expense of such work, and debts of said district." Referred to Committee on Irrigation and Water Rights.

House Bill No. 146, introduced by A. T. Larsen, by request: A Bill for an Act entitled: "An Act to amend Section 146 of the Revised codes

of Montana of 1921 relating to fees of religious and fraternal societies." Referred to Ways and Means Committee.

House Bill No. 147, introduced by McCarty: A Bill for an Act entitled: "An Act to amend Section 4530, Revised Codes of Montana, 1921, relating to the care and burial of indigent, sick or injured persons; providing for the services of a physician and the payment of the expenses thereof." Referred to Committee on Public Morals, Charities and Reforms.

House Bill No. 148, introduced by Walker: A Bill for an Act entitled: "An Act to change the name of Crooked Creek in Fergus and Petroleum Counties, State of Montana, to Sakakawea Creek." Referred to Committee on Development and Publicity.

### MOTIONS AND RESOLUTIONS

Moved by Larson, duly seconded and carried, that H. B. No. 24 be taken from third reading and placed at the head of list of General Orders.

Moved by Dellwo, duly seconded and carried, that House Bill No. 20 be taken from Engrossing Committee and placed second on the list of General Orders.

Moved by Burns, duly seconded and carried, that House Bill No. 41 be taken from Engrossing Committee and re-referred to Judiciary Committee.

### CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

Moved by Ruffcorn, duly seconded and carried that communications from Senate be considered read at length and the Journal so show.

The following messages were received from the Senate:

Helena, Montana, January 21, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Finances and Claims, having had under consideration the motion, adopted by the House, proposing that a committee of five members be selected by the Senate to act in conjunction with a like committee of the House for the purpose of detail consideration of deficiency and old claims, recommend that such a committee be appointed by the President of the Senate to act as provided in said motion, and that they report to the Committee on Finance and Claims the result of their investigation on or before the 30th day of the Session.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, January 21, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Standing Committees have this day made the following reports:

Judiciary Committee report that S. B. No. 23, by Church, do pass; that S. B. No. 20, by Stewart, do pass; that S. B. No. 13, by Dowlin, do pass; that S. B. No. 6, by Duncan, do pass.

Banks and Banking Committee report that S. B. No. 26 be amended in the enacting clause by striking out the word "Nineteenth" and that as so amended, the bill do pass.

Irrigation and Water Rights Committee recommend that S. J. R. No. 2, by Scofield, do not pass.

Fish and Game Committee report that S. B. No. 10 be amended by striking out the word "trails" in the twenty-fourth line and inserting in lieu thereof the word "trials" and, as so amended, said bill do pass.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, January 21, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Notices of Bills were this day given:

By Paul: An Act relating to drunkenness as being no excuse for crime and how insanity as a defense must be proven, and amending Section 10728 of the Codes of the State of Montana of 1921, being a part of Chapter 1 of the Penal Code of the State of Montana of 1921, entitled: "Definitions and preliminary provisions" by adding to said Section a sub-division or sub-section to be known as No. 2 and which relates to how insanity, as a defense, shall be proven.

By Paul: An Act relating to and to regulate the granting of new trials and the reversal and setting aside of judgments in any case, civil or criminal.

By Gilboe: An Act to amend Section 6078 and 6079 of the Revised Codes of Montana of 1921 relating to the powers and duties of the superintendent of banks over insolvent banks or banks with an impaired capital, and providing for establishing claims against such banks, and providing for the procedure for the liquidation of banks, and the appointment of receivers.

By Leuthold: An Act to amend Section 4390 of the Revised Codes of 1921, relating to the creation of new counties.

By Spencer: An Act establishing and defining the boundary line between Yellowstone and Carbon counties.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, January 21, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following bills were this day introduced, read first and second times and referred to the Standing Committees:

S. B. No. 27, by Pauline: "An Act for the submission to the qualified electors of the State of Montana of an amendment to Section 3 of Article V of the Constitution of the State of Montana, relating to the qualifications of members of the Legislative Assembly." Committee on Constitutional Amendments.

S. B. No. 28, by Brownlee: "An Act to validate and to cure all irregularities connected with certificates of tax sales heretofore issued to any county or its successors and assigns by reason of delinquent tax sales, and not cured or validated by previous validating acts." Committee on Taxation.

Respectfully,

J. F. CONE, Secretary of Senate.

#### CONSIDERATION OF GENERAL ORDERS

Moved by A. T. Larsen, duly seconded and carried, that the House resolve itself into the Committee of the Whole for consideration of General Orders.

Mr. Hansen in the chair.

Committee arose.

Mr. Speaker in the chair.

Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bills Nos. 24 and 20, respectfully report as follows:

That House Bill No. 24 be amended as follows:

Section 3. By striking out all of said Section 3, and inserting in lieu thereof the following section, to be known as Section 3: "Section 3: This Act shall be in full force and effect on and after December 1, 1926."

And that as amended, House Bill No. 24 do pass.

That House Bill No. 20 be amended as follows:

Section 1. By adding in line 9--after the word "held" the following



two sentences: "Those electors who regularly voted under the absent voters law in the general election of 1924 shall be allowed to re-register as in this section provided, by making application to the County Clerk of the County in which he is a qualified elector, and subscribing to the registry card an affidavit before any officer authorized by the laws of this State to take acknowledgment of instruments without the State. This registry card and affidavit must be received and filed by the County Clerk before the closing of the registration for ensuing primary election or elections."

And that as amended, House Bill No. 20 do pass.

HANSON, Chairman.

Moved by Hanson, duly seconded, that report be adopted.

Moved by Caplis, duly seconded, that House Bill No. 20 be segregated from the report.

Caplis asks for a call of the House, seconded by 15 members.

Moved by Wold, duly seconded and carried, that a call of the House be duly dispensed with.

Question arising on substitute motion to segregate House Bill No. 20, roll call was demanded, and same failed by the following vote:

Ayes: Anderson, Beadle, Bergstrom, Besancon, Caplis, Cusick, Dellwo, Doran, Fitzgerald (Silver Bow), Fox, Hardcastle, Hoffman, Joffray, Kelly, Kinville, A. T. Larsen, Lincoln, Meagher, Miller, Moriarity, Mulholland, McCarty, McGrath, Patterson, Peterson, Plank, Plumer, Rupert, Shields, Stoddard, Tinsley, Troy. Total—32.

Noes: Ainsworth, Akofer, Andrus, Berryman, Brandt, Budas, Burns, Campbell, Castles, Clarke, Davis, Donaldson, Duncan, Eaton, Fairgrieve, Fitzgarrald (Ravalli), Flachsenhar, Flynn, Gordon, Graybill, Green, Hanson, Harris, Hawley, Hedrick, Higham, Holt, Holton, Johnson (Fergus), Johnson (Valley), Keeley, Kennedy, Larson (Cascade), Leavens, Masters, Merritt, Morris, Moss, Moulton, McAfee, Nagle, Nelson, Nelstead, Parkin, Peat, Reed, Rice, Ruffcorn, Ryder, Sales, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Strange, Throssel, Waite, Walker, Walton, White, Wold, Wuerthner, Zeh, Mr. Speaker. Total—63.

Absent and not voting: Fletcher, Robert Larson (Sheridan), Lemmon, Loble, Murphy, Schoening. Total—6.

Question arising on original motion, same carried.

The Committee on Printing reported as follows:

Mr. Speaker: We, your Committee on Printing, beg leave to report the following bills correctly printed:

House Bills Nos. 29, 45 and 103.

House Joint Resolution No. 1.

FRED W. ZEH, Chairman.

At the request of A. T. Larsen, there being no objections, the House reverted to Order of Business No. 9:

### THIRD READING OF HOUSE BILLS

House Bill No. 24, introduced by A. T. Larsen, having been read three several times and title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Caplis, Castles, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald (Ravalli), Fitzgerald (Silver Bow), Flynn, Fox, Graybill, Green, Hanson, Hardcastle, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Joffray, Johnson (Valley), Kelly, Kinville, Larson (Cascade), Larsen (Sheridan), Lemmon, Lincoln, Masters, Meagher, Merritt, Moriarity, Morris, Moss, Moulton, Mulholland, McAfee, McCarty, McGrath, Nelson, Nelstead, Patterson, Peat, Peterson, Plank, Plumer, Reed, Rice, Ruffcorn, Rupert, Ryder, Sales, Shields, Smith (Beaverhead), Steeves, Stoddard,

Throssel, Tinsley, Troy, Waite, Walker, Walton, White, Zeh, Mr. Speaker. Total—82.

Noes: Gordon, Harris, Johnson (Fergus), Keeley, Kennedy, Leavens, Miller, Nagle, Parkin, Smith (Lewis and Clark), Strange, Wold, Wuerthner. Total—13.

Absent and not voting: Flachsenhar, Fletcher, Robt. Larson, Loble, Murphy, Schoening. Total—6.

House Joint Resolution No. 2, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Andrus, Beadle, Bergstrom, Berryman, Besancon, Caplis, Clarke, Davis, Dellwo, Doran, Eaton, Fairgrieve, Fitzgerald (Silver Bow), Flynn, Fox, Gordon, Hanson, Hardcastle, Hawley, Hedrick, Holton, Joffray, Keeley, Kelly, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Leavens, Lemmon, Moriarity, Moss, Moulton, Mulholland, McGrath, Nelson, Nelstead, Plank, Plumer, Rice, Ruffcorn, Smith (Beaverhead), Stoddard, Throssel, Tinsley, Troy, Walker, White, Wold, Zeh, Mr. Speaker. Total—53.

Noes: Anderson, Brandt, Budas, Burns, Campbell, Castles, Cusick, Donaldson, Duncan, Fitzgarrald (Ravalli), Flachsenhar, Graybill, Green, Harris, Higham, Hoffman, Holt, Johnson (Fergus), Johnson (Valley), Lincoln, Masters, Meagher, Merritt, Miller, Morris, McAfee, McCarty, Parkin, Patterson, Peat, Peterson, Reed, Rupert, Ryder, Sales, Shields, Smith (Lewis and Clark), Steeves, Strange, Waite, Walton, Wuerthner. Total—42.

Absent and not voting: Fletcher, Larson (Sheridan), Loble, Murphy, Nagle, Schoening. Total—6.

Moved by Ruffcorn, duly seconded and carried, that House adjourn until 11:00 A. M., Friday, January 23.

R. C. BRICKER, Speaker.

Attest: H. J. FAUST, Chief Clerk.

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## NINETEENTH DAY

House of Representatives,

Helena, Montana, January 23, 1925.

House met pursuant to adjournment at 11:00 A. M.

Mr. Speaker in the chair.

Prayer by the Chaplain.

On roll call all present except: Larson (Robert), Schoening and Leavens, Nelstead, Murphy, excused on account of illness; and Fletcher, absent.

The Committee on Journal reported as follows:

Mr. Speaker: We, your Committee on Journal, have this day examined the Journal for the eighteenth Legislative day and found the same correct.

PARKIN, Vice Chairman.

On motion of Parkin, report adopted.

Engrossing Committee reported as follows:

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bill correctly engrossed: House Bill No. 20.

BERRYMAN, Chairman.

Printing Committee reported as follows:

Mr. Speaker: We, your Committee on Printing, beg leave to report the following bill correctly printed: House Bill No. 52.

FRED W. ZEH, Chairman.

## NOTICES

Authors gave notice that they will on tomorrow or some subsequent day introduce bills as follows:

By Wuerthner and Peterson: A Bill for an Act entitled: "An Act to amend Section 1760 of the Revised Codes of Montana, 1921, as amended by Chapter 107 of the Session Laws of the Eighteenth Legislative Assembly of Montana, 1923, relating to registration fees for motor vehicles and the disposition thereof, and amending Section 2392 of the Revised Codes of Montana, 1921, as amended by Chapter 150 of the Session Laws of the Eighteenth Legislative Assembly of Montana, 1923, relating to disposition of the tax on gasoline."

By Smith of Lewis and Clark: A Bill for an Act entitled: "An Act repealing Section 8932 of the Revised Codes of Montana, 1921, relating to payment of stenographer's costs in civil actions."

By Duncan: A Bill for an Act entitled: "An Act to amend Section 1 of Chapter 96 of the Laws of the Eighteenth Legislative Assembly of the State of Montana, relating to and fixing the time and method of collecting taxes and interest thereon by providing that none of the provisions of said Chapter 96 shall be construed as in any manner applying to special assessments."

By Duncan: A Bill for an Act entitled: "An Act to amend Section 5251 of the Revised Codes of Montana, 1921, relating to the certification of special assessments to the county clerk and the collection of special assessments by cities and towns, and providing for the manner of payment of special assessments, the time when the same shall become delinquent, and the penalty and interest for delinquent special assessments."

By Duncan: A Bill for an Act entitled: "An Act to amend Section 5277 of the Revised Codes of Montana, 1921, relating to the method of levying assessments to defray the cost of sprinkling by providing for the time and manner of payment of such assessments."

By Duncan: A Bill for an Act entitled: "An Act to amend Section 2215 of the Revised Codes of Montana, 1921, relating to the title conveyed by tax deed and providing that such deeds shall not exempt the property to be conveyed thereby from the payment of special assessments."

By Duncan: A Bill for an Act entitled: "An Act to permit real property to be redeemed from tax sale by paying the original tax and interest thereon."

By Sales: A Bill for an Act entitled: "An Act to amend Section 3764 of the Revised Codes of Montana of 1921, defining the boundaries of Gallatin Game Preserve and providing penalties for the unlawful hunting and trapping within said preserve."

By Plumer: A Bill for an Act entitled: "An Act to appropriate money from the Industrial Accident Fund of the State of Montana for payment of additional compensation on the claim of Sam Nestor, which claim was disallowed by the Industrial Accident Board because it was not presented within six months following the date of the injury."

By Strange and Fitzgarrald: A Bill for an Act entitled: "An Act to amend Sections 7136, 7140, 7141, 7145, 7149, 7150, 7151 and 7159 of the Revised Codes of Montana of 1921, relating to the maintenance and repair of water ditches and water systems and expenses therefor, and to the powers and duties of the water commissioner, and making such expenses a lien upon the land prior to all other liens except taxes."

By Besancon and Lincoln: A Bill for an Act entitled: "An Act to amend Sections 715, 716, 720 and 729 of the Montana Revised Codes, 1921, and also to amend Section 717 of said Code as amended by Section 1, Chapter 151, Montana Session Laws 1923, all relating to voting the absent ballot and voting by those unable to attend the polls."

By Loble and Keeley: A Bill for an Act entitled: "An Act to re-



peal Section 11043 of the Revised Codes of Montana, 1921, relating to the sale of merchandise at camp meetings."

By Committee on Agriculture: A Bill for an Act entitled: "An Act creating a division of weights and measures in the Department of Agriculture, Labor and Industry, and defining its composition, powers and duties; regulating the use and inspection of weights and measures; fixing the fees to be collected for such inspection and the disposition of same; authorizing arrests and providing penalties for the violating of this Act; and repealing Sections 3454, 3575, 4233, 4235, 4236, 4237, 4238, 4239, 4240, 4241, 4242, 4243, 4244, 4245, 4247, 4250, 4251, 4252, 4253, 4258, 4259, 4260, 4261, 4262, 4263 and 4264 of the Revised Codes of Montana of 1921, and Section 2 of Chapter 41 of the Laws of the Eighteenth Legislative Assembly of Montana of 1923, and all other Acts and parts of Acts in conflict herewith."

By Ruffcorn, Besancon, Johnson (Valley), Burns, Brandt, Moss: A Bill for an Act entitled: "An Act relating to the admission in evidence of general reputation in the trial of certain cases."

### REPORTS OF STANDING COMMITTEES

The following reports were received from standing committees:

Mr. Speaker: We, your Committee on Employment, recommend the employment of the following:

Proofreaders—Mrs. J. Shanks, Mrs. Elizabeth Drake, Miss Betty Giltinan.

General Stenographer—Miss Claire Zimmer.

Transfer from General Stenographer to the Engrossing Room—Miss Sara Peachey, Margurite White.

DAVIS, Chairman.

On motion of Davis, report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 75, introduced by McAfee, Moss, Lincoln and Cusick, a Bill for an Act entitled: "An Act authorizing Wilsie M. Cramer to commence, institute and prosecute to final determination an action at law against the State of Montana for the purpose of determining a certain controversy now existing between the said Wilsie M. Cramer and the State of Montana in connection with the sale of certain land situated in Flathead County, Montana, to the State of Montana, for the use of the State Game and Fish Commission, and making an appropriation to pay any judgment which the said Wilsie M. Cramer may recover against the State of Montana, in such action," respectfully report as follows: That House Bill No. 75 be referred to the Judiciary Committee.

O. M. WOLD, Chairman.

On motion of Wold, report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 42, by Fairgrieve, a Bill for an Act entitled: "An Act to appropriate money for the payment of pamphlet copies of the Constitution of the State of Montana," respectfully report as follows: That House Bill No. 42, without recommendation.

O. M. WOLD, Chairman.

Moved by Wold, duly seconded, that report be adopted.

Substitute motion by Fairgrieve, duly seconded, that House Bill No. 42 be printed and placed on General Orders.

Question arising on substitute motion. Same carried.

Mr. Speaker: We, your Committee on Irrigation and Water Rights, having had under consideration House Bill No. 145, a Bill for an Act entitled: "An Act to amend Chapter 129 of the Session Laws of the Seven-

teenth Legislative Assembly, as amended by Chapter 109 of the Session Laws of the Eighteenth Legislative Assembly, providing for the delay or cessation of the construction of drainage works; the dissolving of drainage districts; stopping expenses in connection therewith; providing procedure how same shall be done, and apportioning the costs of the expense of such work, and debts of said district," respectfully report as follows: That House Bill No. 145 be amended as follows:

By striking out the word "adult" in line 1, Section 1, and in line 17, Section 1, and that the bill as amended do pass.

STRANGE, Chairman.

On motion of Strange, report adopted.

Mr. Speaker: We, your Committee on Workmen's Compensation, having had under consideration House Bill No. 91, a Bill for an Act entitled: "An Act to amend Section 2839 of Chapter 213, Revised Codes of Montana of 1921, known as the Workmen's Compensation Act; relating to and defining inherently hazardous occupations," respectfully report as follows: That House Bill No. 91 do pass.

KENNEDY, Chairman.

On motion of Kennedy, report adopted.

Mr. Speaker: We, your Committee on Military Affairs, having had under consideration House Bill No. 107, introduced by Fairgrieve, a Bill for an Act entitled: "An Act providing for a monthly maintenance allowance for persons receiving vocational rehabilitation and training under the provisions of Sections 3044 to 3051, Revised Codes of Montana of 1921, and defining the terms and conditions of such allowance," respectfully report as follows: That House Bill No. 107 be amended as follows:

That in Section 1 after Sub-Section F, the following be inserted and be known as Sub-Section C:

"Neither the person receiving such training nor his parents or guardian have filed with his application an affidavit showing what property he or his parents own, and also showing that none of his relatives, friends or former employers are willing to maintain him."

And as amended that the same do pass.

A. WHITE, Chairman.

On motion of White, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 130, introduced by Lincoln of Flathead, a Bill for an Act entitled: "An Act to amend Chapter 21, Revised Codes of Montana, 1921, relating to the qualification, admission, license and disbarment of attorneys; amending Section 8937, Revised Codes of Montana, 1921; Section 8948, Revised Codes of Montana, 1921; and repealing Section 8949, Revised Codes of Montana, 1921," respectfully report as follows: That House Bill No. 130 do not pass.

BURNS, Chairman.

On motion of Burns, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 16, introduced by Ainsworth, a Bill for an Act entitled: "An Act to amend Chapter 26 of the Revised Civil Code of Montana of 1921 by adding thereto two new sections to be known as Section 7102A, relating to abandonment of water by failure to use, and Section 7102B, relating to abandonment of surplus water sold; and repealing all Acts and parts of Acts in conflict herewith," respectfully report as follows: That House Bill No. 16 do not pass.

BURNS, Chairman.

On motion of Burns, report adopted.

Mr. Speaker: We, your Committee on Federal Relations, having had under consideration House Joint Memorial No. 2, introduced by McCarty, entitled: "Memorial to the Senate of the United States of America in

Congress assembled that immediate action be taken leading to the participation of the United States in the permanent Court of International Justice," respectfully report as follows: That said House Joint Memorial No. 2 do pass.

W. E. KEELEY, Chairman.

On motion of Keeley, report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 18, a Bill for an Act entitled: "An Act to amend Chapter 93 of the Laws of the Montana Legislative Assembly of 1923, which amended Sections 217 and 221 of the Revised Codes of Montana, 1921, relating to the fees of the State Examiner," respectfully report as follows: That House Bill No. 18 be referred to the Committee on Banks and Banking.

TROY, Chairman.

On motion of Troy, report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 106, a Bill for an Act entitled: "An Act requiring the registration of all colonies of honey bees; providing a method of registering and of collecting fees; requiring the posting of registration certificate, and authorizing the expenditure of funds arising from registration fees," respectfully report as follows: That House Bill No. 106 do pass.

TROY, Chairman.

On motion of Troy, report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 101, introduced by Nelstead, a Bill for an Act entitled: "An Act to amend Section 1617 of the Revised Codes of Montana of 1921, relating to the levy of a tax for road purposes, and to repeal Section 1704 of the Revised Codes of Montana of 1921, relating to the levy of a tax for bridge purposes," respectfully report as follows: That House Bill No. 101 do pass.

TROY, Chairman.

On motion of Troy, report adopted.

Mr. Speaker: We, your Committee on Agriculture, having had under consideration House Bill No. 123, a Bill for an Act entitled: "An Act to provide for the submission to the qualified electors of the State of Montana an amendment to Article XII of the Constitution of the State of Montana, relating to revenue and taxation by adding a new section thereto providing for the levying of taxes for the purpose of insuring growing crops against loss or damage by hail," respectfully report as follows: That House Bill No. 123 be referred to the Committee on Constitutional Amendments.

HANSON, Chairman.

On motion of Hanson, report adopted.

Mr. Speaker: We, your Committee on Agriculture, having had under consideration House Bill No. 119, a Bill for an Act entitled: "An Act amending Sections 4056 and 4061 of the Revised Codes of Montana of 1921, and making the Commissioner of Agriculture of the Department of Agriculture, Labor and Industry of the State of Montana ex-officio Real Estate Commissioner," respectfully report as follows: That House Bill No. 119 do pass.

HANSON, Chairman.

On motion of Hanson, report adopted.

We, your Committee on Agriculture, having had under consideration Joint House Memorial No. 3, "Memorial to the Congress of the United States of America to enact legislation to promote equality for agriculture under the American Protective System in the case of these crops of which



a normal surplus above domestic requirements is produced," respectfully report as follows: That Joint House Memorial No. 3 do pass.

HANSON, Chairman.

On motion of Hanson, report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 79, introduced by McCarty, a Bill for an Act entitled: "An Act to amend Section 933, Chapter 75, of the Revised Codes of Montana, 1921, relating to the official staff of the Superintendent of Public Instruction," respectfully report as follows: That House Bill No. 79 do not pass.

E. T. EATON, Chairman.

On motion of Eaton, report adopted.

### INTRODUCTION OF BILLS AND MEMORIALS

The following bills were introduced, read first and second times by title only, and referred to committees as follows:

House Joint Resolution No. 4, introduced by Committee on Livestock and Public Ranges:

WHEREAS, There has been introduced in the United States Senate, Senate Bill No. 2424 by Phipps, which is an act concerning livestock grazing fees on National Forests,

AND WHEREAS, This bill provides that fifty per cent of the grazing fees received during any fiscal year from National Forests shall be paid to the state or territory in which the National Forest is located,

AND WHEREAS, This bill meets with the hearty approval of the stockmen of Montana,

NOW, THEREFORE, BE IT RESOLVED, That the Senate and House of Representatives of the State of Montana request the Montana Representatives in Washington to support and work for the passage of the Phipps bill. Referred to Livestock and Public Ranges.

House Joint Resolution No. 5, introduced by Fitzgarrald (Ravalli), Flachsenhar, Dellwo, Lincoln, Strange, Castles, Zeh and Campbell:

WHEREAS, It appears that the price of gasoline in the State of Montana is higher than in most of the adjoining states, and

WHEREAS, There is a general complaint relative to the high price of gasoline, and

WHEREAS, The price of gasoline will materially affect legislation in the matter of the gasoline tax.

BE IT RESOLVED, By the Senate and the House of Representatives of the Nineteenth Legislative Assembly, that a Committee of six, three members from the House, appointed by the Speaker, and three members from the Senate, appointed by the President, be appointed to investigate the price of gasoline in the State of Montana, and

BE IT FURTHER RESOLVED, That this Committee be instructed to report back to the Senate and the House on or before the fortieth day of the Session. Referred to Committee on Development and Publicity.

House Bill No. 149, introduced by Zeh: A Bill for an Act entitled: "An Act to amend Section 439 of the Revised Codes of Montana of 1921, providing for salaries of janitors, watchmen and engineers at the State Capitol, and providing for the salary of a carpenter employed at the State Capitol. Referred to State Institutions, Public Buildings and Grounds.

House Bill No. 150, introduced by Meagher and Shields: A Bill for an Act entitled: "An Act to amend Section 8275 of the Revised Codes of the State of Montana as amended by Chapter 32 of the Session Laws of the Eighteenth Legislative Assembly of the State of Montana relating to chattel mortgages." Referred to Judiciary Committee.

House Bill No. 151, introduced by Peat, by request: A Bill for an Act

entitled: "An Act to amend Section 3127 of the Revised Codes of Montana, 1921, relating to the practice of osteopathy by adding thereto a provision for an annual renewal license fee." Referred to State Boards and Officers Committee.

House Bill No. 152, introduced by Holt: A Bill for an Act entitled: "An Act to amend Section 5161, Revised Codes of 1921, relating to the appointment and organization of park commission records and reports." Referred to Committee on State Boards and Officers.

House Bill No. 153, introduced by Smith of Lewis and Clark: A Bill for an Act entitled: "An Act to repeal Section 9797 of the Revised Codes of Montana, 1921, relating to payment of costs by the losing party in all cases where a demurrer or motion is sustained or overruled." Referred to Judiciary Committee.

House Bill No. 154, introduced by Joffray: A Bill for an Act entitled: "An Act to amend Chapter 101 of Part III of the Political Code of Montana of 1921 by the enactment of a new section to be known as Section 1281A, providing that accredited high schools maintained by joint school districts shall for all the purposes of said chapter be considered as situated in each county in which any part of said joint district is situated, regardless of the actual situs of such school; and providing for the apportionment of the proceeds of county high school tax levies to joint districts maintaining such high schools, and defining the method of such apportionment." Referred to Committee on Education.

House Bill No. 155, introduced by Loble and Keeley: A Bill for an Act entitled: "An Act to repeal Section 11567 of the Revised Codes of Montana, 1921, relating to the exhibition of moving pictures depicting a felony." Referred to Public Morals, Charities and Reforms.

House Bill No. 156, introduced by Beadle: A Bill for an Act entitled: "An Act to repeal Chapters 44 to 54, inclusive, of Part III of the Code of Civil Procedure of the Revised Codes of Montana of 1921, including therein Sections 9619 to 9724, inclusive, of the Revised Codes of Montana of 1921, and to repeal said sections relating to proceedings in courts of justices of the peace; and to enact in the place of said repealed chapters and sections, chapters to be known as Chapters 44, 45, 46, 47, 48, 49, 50, 51, 52, 53 and 54 of Part III of the Code of Civil Procedure of the Revised Codes of Montana of 1921, relating to proceedings in courts of justices of the peace, being a Code of Civil Procedure for courts of justices of the peace, containing in said chapters sections, which sections here enacted are to take the places and numbers of said repealed sections." Referred to Judiciary Committee.

House Bill No. 157, introduced by Nagle: A Bill for an Act entitled: "An Act to authorize the Supreme Court to regulate practice and procedure in the courts of record of Montana and repealing all Acts and parts of Acts in conflict herewith." Referred to Judiciary Committee.

#### MOTIONS AND RESOLUTIONS

Moved by Hawley, duly seconded and carried, that House Bill No. 97 be taken from General Orders and re-referred to Judiciary Committee.

Moved by Moss, duly seconded, that the reading of all communications other than communications from the Governor or Senate be dispensed with; that they shall not be entered in the Journal unless ordered by the House.

Question arising on motion by Moss, same failed.

Moved by Berryman, duly seconded and carried, that House reconsider its action on H. B. No. 23, and take it from Third Reading.

Moved by Fairgrieve, duly seconded and carried, that House reconsider its action on H. B. No. 69.

Moved by Berryman, duly seconded and carried, that House Bill No. 23 be placed on General Orders.

Moved by Fairgrieve, duly seconded and carried, that H. B. No. 69 be referred to Judiciary Committee.

Moved by McCarty, duly seconded and carried, that House Memorial No. 1 be taken out of General Orders and held until House Memorial No. 2 is printed and placed on General Orders, that the two might be considered at the same time.

Moved by Flynn, duly seconded and carried, that House Bills Nos. 88 and 89 be placed at the bottom of the list on General Orders.

Moved by Loble, duly seconded and carried, that House Joint Resolution No. 1 be made a Special Order of Business on General Orders for consideration at 3:00 P. M. Monday.

There being no objection, House reverted to Order of Business No. 2.

### NOTICES

Moss gave notice that he would on tomorrow make a motion that "all bills on third reading hereafter be read by title, history and section number only," subject to having any bill or section of bill read at length upon request.

Authors gave notice that they would on tomorrow or some subsequent day introduce a bill as follows:

By Peat, Andrus, Fox, Walker, Shields, Loble, Stoddard: A Bill for an Act entitled: "A Bill to regulate racing at State and County Fairs and providing methods for wagering on same."

### CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

The following messages were received from the Senate:

Moved by Ruffcorn, duly seconded and carried, that communications from the Senate be considered read at length and the Journal so show.

Helena, January 22, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President appointed the following committee: Leuthold, Pauline, Page, Schnitzler and Delaney, to act with a like committee appointed by the House to investigate deficiency claims.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, January 19, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following stenographers were appointed:

Marianne Dutton, Freda M. Scharpf, Imogene Richardson.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, January 22, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Finance and Claims, having had under consideration S. B. No. 3, recommend that same be amended by striking out the following words in lines 15 and 16 of Section 1, to-wit: "a true and full cost of such care, treatment and maintenance," and inserting in lieu thereof the words: "One dollar and fifty cents per day," and that, as amended, the bill do pass.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, January 22, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable



Body that the Committee on Committees this day report the following appointments:

Appointment and Representation—Tower.  
Corporations other than Municipal—Tower.  
Federal Relations—Tower.  
Horticulture—Tower.  
Military Affairs—Tower.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, January 22, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following bills were this day introduced, read first and second times and referred to the standing committees:

S. B. No. 29, by Leuthold: "An Act regulating the drilling and operation of oil and gas wells, relating to the conservation of oil and natural gas, providing for the administration of the Act and by the Board of Railroad Commissioners of the State of Montana, and repealing Sections 3547, 3548, 3553, and 3554, of the Revised Codes of Montana, 1921." Committee on Oil and Leases.

S. B. No. 30, by Leuthold: "An Act to amend Section 4390 of the Revised Codes of 1921, relating to the creation of new counties." Committee on New Counties and Divisions.

S. B. No. 31, by Paul: "An Act relating to drunkenness as being no excuse for crime and how insanity as a defense must be proven, and amending Section 10728 of the Codes of the State of Montana of 1921, being a part of Chapter 1 of the Penal Code of the State of Montana of 1921, entitled, 'Definitions and preliminary provisions' by adding to said section a subdivision or sub-section to be known as No. 2, and which relates to how insanity, as a defense, shall be proven." Committee on Public Morals.

S. B. No. 32, by Paul: "An Act relating to and to regulate the granting of new trials and the reversal and setting aside of judgments in any case, civil or criminal." Judiciary Committee.

S. B. No. 33, by McQuitty: "An Act to amend Sections 1755, 1756, 1757, 1758, 1759, 1760, and 1761, relating to the registration and identification of motor vehicles and operators thereof." Committee on Railroads and Transportation.

S. B. No. 34, by McQuitty: "An Act relating to free text books for school districts and county high schools; providing for the purchasing and furnishing of the same and for the levying of a special tax for such purposes; providing for penalty for the violation of the provisions of this Act and repealing Sections 1198 and 1199 of the Revised Codes of Montana, 1921." Committee on Education.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, January 22, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee of the Whole, having had under consideration S. B. No. 7, S. B. No. 17 and S. J. R. No. 3, recommend as follows:

That S. B. No. 7 be passed for the day.  
That S. B. No. 17 do pass.  
That S. J. R. No. 3 do pass.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, January 22, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Notices of Bills were this day given:

By Watson: "An Act to amend Section 644, Revised Codes of Montana, 1921, as amended by Chapter 133, Session Laws 1923, relating to the place and time for filing petitions for nominations for primary nominating elections."

By Watson: "An Act to amend Section 1760 of Chapter 107 of the Revised Codes of the Eighteenth Legislative Session, relating to the registration fee for motor vehicles."

By Watson: "An Act to amend Sections 715 and 716, Revised Codes, 1921, Section 717, Revised Codes, 1921, as amended by Chapter 151, Session Laws, 1923, and Section 720, Revised Codes, 1921, relating to voting by absent voters, so as to extend the provisions thereof to persons incapacitated by illness or injuries."

By Page: "An Act providing for carrying out of the provisions of Sections 1999 and 2000 of the Revised Codes of Montana of 1921, relating to classification of taxable property, and providing the duties of the various county and state officers in relation thereto."

By McQuitty: "An Act relating to the levying of taxes in joint school districts."

By Hazelbaker: "An Act to amend Section 4143, Revised Codes of Montana, 1921, pertaining to the requirements of abstractors of titles relating to the renewal of abstractors' bonds."

Respectfully,

J. F. CONE, Secretary of Senate.

There being no objection House reverted to Order of Business No. 6, at request of Ruffcorn.

#### MOTIONS AND RESOLUTIONS

Moved by Ruffcorn, duly seconded and carried, that H. B. No. 34 be taken from Third Reading and placed at the bottom of column 1 of General Orders.

Moved by Ruffcorn, duly seconded and carried, that House adjourn until 1:30 P. M.

#### AFTERNOON SESSION

House resumed at 1:30 P. M.

Mr. Speaker in the chair.

The Engrossing Committee reported as follows:

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed:

House Bills Nos. 38, 65, 32, 25, 23, 24.

J. J. BERRYMAN, Chairman.

#### MOTIONS AND RESOLUTIONS

Moved by Flachsenhar, duly seconded and carried, that House Bill No. 20, be placed at the head of the list of Bills for Third Reading.

#### THIRD READING OF HOUSE BILLS

House Bill No. 20, by Flachsenhar, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Andrus, Berryman, Brandt, Budas, Burns, Campbell, Castles, Clarke, Davis, Donaldson, Duncan, Eaton, Fairgrieve, Fitzgarrald, Flachsenhar, Flynn, Gordon, Graybill, Green, Hanson, Hawley, Hedrick, Higham, Holt, Holton, Johnson (Fergus), Johnson (Valley), Keeley, Kennedy, Larson (Cascade), Masters, Merritt, Morris, Moss, Moulton, Nelson, Parkin, Patterson, Peat, Reed, Rice, Ruffcorn, Ryder, Sales, Smith (Beaverhead), Steeves, Strange, Throssel, Troy, Waite, Walker, Walton, White, Wold, Wuerthner, Zeh, Mr. Speaker. Total—58.

Noes: Akofer, Anderson, Beadle, Bergstrom, Besancon, Caplis, Cusick, Dellwo, Doran, Fitzgerald, Fox, Hardcastle, Hoffman, Joffray, Kelly, Larson, Lincoln, Meagher, Miller, Moriarity, Mulholland, McAfee, McCarty, McGrath, Peterson, Plank, Plumer, Rupert, Shields, Stoddard, Tinsley. Total—31.

Absent and not voting: Fletcher, Harris, Kinville, Larson (Robert), Leavens, Lemmon, Loble, Murphy, Nagle, Nelstead, Schoening, Smith (Lewis and Clark). Total—12.

House Joint Memorial No. 1, by Dellwo, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Besancon, Brandt, Budas, Burns, Campbell, Caplis, Castles, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Flynn, Fox, Gordon, Graybill, Green, Hanson, Hardcastle, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kennedy, Larson (Cascade), Larsen (Sheridan), Lincoln, Masters, Merritt, Miller, Moriarity, Morris, Moss, Moulton, Mulholland, McAfee, McCarty, McGrath, Nelson, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Reed, Rice, Ruffcorn, Rupert, Ryder, Sales, Shields, Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Tinsley, Troy, Waite, Walker, Walton, White, Wold, Wuerthner, Zeh, Mr. Speaker. Total—87.

Noes: None.

Absent and not voting: Berryman, Fletcher, Harris, Kinville, Larson (Sheridan), Leavens, Lemmon, Loble, Meagher, Murphy, Nagle, Nelstead, Schenoing, Smith (Lewis and Clark). Total—14.

House Bill No. 3, by Besancon, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Caplis, Castles, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Fairgrieve, Fitzgarrald (Ravalli), Fitzgerald (Silver Bow), Flachsenhar, Flynn, Fox, Gordon, Graybill, Green, Hanson, Hardcastle, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kennedy, Larson (Cascade), Larsen (Sheridan), Lincoln, Loble, Masters, Meagher, Merritt, Miller, Moriarity, Morris, Moss, Moulton, McAfee, McGrath, Nagle, Nelson, Parkin, Patterson, Peat, Plank, Plumer, Reed, Rice, Ruffcorn, Rupert, Ryder, Sales, Shields, Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Tinsley, Troy, Waite, Walker, Walton, White, Wold, Wuerthner, Zeh, Mr. Speaker. Total—87.

Noes: None.

Absent and not voting: Eaton, Fletcher, Harris, Kinville, Larson (Sheridan), Leavens, Lemmon, Mulholland, Murphy, McCarty, Nelstead, Peterson, Schoening, Smith (Lewis and Clark). Total—14.

House Bill No. 5, by Beadle, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Caplis, Castles, Clarke, Cusick, Davis, Dellwo, Donaldson, Duncan, Eaton, Fairgrieve, Fitzgarrald (Ravalli), Fitzgerald (Silver Bow), Flachsenhar, Flynn, Fox, Gordon, Graybill, Green, Hanson, Hardcastle, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kennedy, Larson (Cascade), Larsen (Sheridan), Lincoln, Loble, Masters, Meagher, Merritt, Miller, Moriarity, Morris, Moss, Moulton, Mulholland, McAfee, McGrath, Nagle, Nelson, Parkin, Patterson, Peat, Plank, Plumer, Reed, Rice, Ruffcorn, Rupert, Sales, Shields, Smith (Beaverhead), Stoddard, Strange, Throssel, Tinsley, Troy, Waite, Walker, Walton, White, Wold, Wuerthner, Zeh, Mr. Speaker. Total—86.

Noes: Doran, Ryder. Total—2.

Absent and not voting: Fletcher, Harris, Kinville, Larson (Sheridan),



Leavens, Lemmon, Murphy, McCarty, Nelstead, Peterson, Schoening, Smith (Lewis and Clark), Steeves. Total—13.

House Bill No. 14, by Nagle, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Caplis, Castles, Clarke, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald (Ravalli), Fitzgerald (Silver Bow), Flachsenhar, Flynn, Fox, Gordon, Grabyill, Green, Hanson, Hardcastle, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kennedy, Larson (Cascade), Larsen (Sheridan), Loble, Masters, Meagher, Merritt, Miller, Moriarity, Morris, Moss, Moulton, Mulholland, McAfee, McGrath, Nagle, Nelson, Parkin, Patterson, Peat, Plank, Reed, Rice, Ruffcorn, Rupert, Ryder, Sales, Shields, Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Tinsley, Troy, Waite, Walker, Walton, White, Wold, Wuerthner, Zeh, Mr. Speaker. Total—75.

Noes: Anderson, Cusick, Lincoln, Plumer. Total—4.

Absent and not voting: Fletcher, Harris, Kinville, Larsen (Sheridan), Leavens, Lemmon, Murphy, McCarty, Nelstead, Peterson, Schoening, Smith (Lewis and Clarke). Total—12.

House Bill No. 44, by Ainsworth, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Caplis, Castles, Clarke, Cusick, Davis, Dellwo, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald (Ravalli), Fitzgerald (Silver Bow), Flachsenhar, Flynn, Gordon, Graybill, Green, Hanson, Hardcastle, Hoffman, Hawley, Higham, Hoffman, Holt, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kennedy, Larson (Cascade), Larsen (Sheridan), Lincoln, Loble, Masters, Meagher, Merritt, Miller, Moriarity, Morris, Moulton, Mulholland, McAfee, McGrath, Nagle, Nelson, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Rice, Ruffcorn, Ryder, Sales, Shields, Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Tinsley, Troy, Waite, Walker, Walton, White, Wold, Wuerthner, Zeh, Mr. Speaker. Total—84.

Noes: None.

Absent and not voting: Donaldson, Fletcher, Fox, Harris, Hedrick, Kinville, Larsen (Sheridan), Leavens, Lemmon, Moss, Murphy, McCarty, Nelstead, Reed, Rupert, Schoening, Smith (Lewis and Clark). Total—17.

House Bill No. 50, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Anderson, Andrus, Beadle, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Caplis, Castles, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald (Ravalli), Fitzgerald (Silver Bow), Flachsenhar, Flynn, Fox, Gordon, Graybill, Green, Hanson, Hardcastle, Hawley, Higham, Holt, Joffray, Johnson (Valley), Keeley, Kelly, Kennedy, Larson (Cascade), Larsen (Sheridan), Lincoln, Loble, Masters, Meagher, Merritt, Miller, Moriarity, Morris, Moss, Moulton, McAfee, McGrath, Nagle, Nelson, Parkin, Patterson, Peat, Plank, Reed, Rice, Ruffcorn, Rupert, Ryder, Sales, Shields, Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Tinsley, Troy, Waite, Walker, Walton, White, Wold, Wuerthner, Zeh, Mr. Speaker. Total—81.

Noes: Akofer, Bergstrom, Hoffman, Johnson (Fergus), Mulholland, Plumer. Total—6.

Absent and not voting: Fletcher, Harris, Hedrick, Holton, Kinville, Larson (Sheridan), Leavens, Lemmon, Murphy, McCarty, Nelstead, Peterson, Schoening, Smith (Lewis and Clark). Total—14.

House Bill No. 55, by Hanson, Albert Johnson, Walton, Johnson (Valley), having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Caplis, Castles, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald (Silver Bow), Flachsenhar, Flynn, Fox, Gordon, Graybill, Green, Hanson, Hardcastle, Hawley, Higham, Hoffman, Holt, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kennedy, Larson, Larsen, Lincoln, Loble, Masters, Meagher, Merritt, Miller, Moriarity, Morris, Moss, Moulton, Mulholland, McGrath, Nelson, Parkin, Peat, Peterson, Plank, Plumer, Reed, Rice, Rupert, Ryder, Sales, Shields, Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Tinsley, Troy, Waite, Walker, Walton, White, Wold, Wuerthner, Zeh, Mr. Speaker. Total—83.

Noes: Anderson, Holton, McAfee. Total—3.

Absent and not voting: Fletcher, Harris, Hedrick, Kinville, Larsen, Leavens, Lemmon, Murphy, McCarty, Nagle, Nelstead, Patterson, Ruffcorn, Schoening, Smith (Lewis and Clark). Total—15.

House Bill No. 57, by Moss, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Akofer, Andrus, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Castles, Cusick, Davis, Donaldson, Duncan, Eaton, Fairgrieve, Fitzgarrald, Flynn, Gordon, Graybill, Green, Hanson, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Johnson (Fergus), Kennedy, Larson, Lincoln, Masters, Merritt, Miller, Moriarity, Morris, Moss, Moulton, McAfee, Nelson, Parkin, Patterson, Peat, Peterson, Plumer, Reed, Rice, Ruffcorn, Rupert, Ryder, Sales, Smith (Beaverhead), Steeves, Strange, Throssel, Tinsley, Troy, Waite, Walker, Walton, White, Wold, Wuerthner, Zeh, Mr. Speaker. Total—66.

Noes: Ainsworth, Anderson, Beadle, Caplis, Clarke, Dellwo, Doran, Fitzgerald (Silver Bow), Flachsenhar, Fox, Hardcastle, Joffray, Johnson (Valley), Keeley, Kelly, Larsen (Sheridan), Loble, Meagher, Mulholland, McGrath, Nagle, Plank, Shields, Stoddard. Total—24.

Absent and not voting: Fletcher, Harris, Kinville, Larson (Sheridan), Leavens, Lemmon, Murphy, McCarthy, Nelstead, Schoening, Smith (Lewis and Clark). Total—11.

House Bill No. 52, by Donaldson, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Caplis, Castles, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald (Ravalli), Flachsenhar, Flynn, Fox, Gordon, Graybill, Green, Hanson, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Keely, Kelly, Kennedy, Larson (Cascade), Larsen (Sheridan), Lincoln, Loble, Masters, Meagher, Merritt, Miller, Morris, McAfee, McGrath, Nagle, Nelson, Parkin, Patterson, Peat, Peterson, Plank, Reed, Rice, Ruffcorn, Rupert, Ryder, Sales, Shields, Smith (Beaverhead), Steeves, Strange, Throssel, Tinsley, Troy, Waite, Walker, Walton, White, Wold, Wuerthner, Zeh, Mr. Speaker. Total—81.

Noes: Beadle, Fitzgerald (Silver Bow), Hardcastle, Moriarity, Moss, Mulholland, Plumer. Total—7.

Absent and not voting: Fletcher, Harris, Kinville, Larson (Robert), Leavens, Lemmon, Moulton, Murphy, McCarty, Nelstead, Schoening, Smith (Lewis and Clarke), Stoddard. Total—13.

House Bill No. 25, by Anderson, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Besancon, Brandt, Budas, Caplis, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fitzgerald, Flynn, Fox, Graybill, Hardcastle, Hawley, Hedrick, Hoffman, Joffray, Johnson (Valley), Keeley, Kelly, Kennedy, Larsen (Sheridan), Lincoln, Loble, Masters, Meagher, Miller, Moriarity, Morris, Moss, Mulholland, McGrath, Nagle, Nelson, Parkin, Patterson, Peterson, Plank, Plumer, Ruffcorn, Smith (Beaverhead), Steeves, Stoddard,



Tinsley, Troy, Waite, Walker, White, Wold, Wuerthner, Mr. Speaker. Total—60.

Noes: Berryman, Burns, Campbell, Castles, Clarke, Fairgrieve, Fitzgarrald, Flachsenhar, Gordon, Green, Higham, Holt, Holton, Johnson (Fergus), Larson (Cascade), Merritt, Moulton, McAfee, Peat, Reed, Rice, Rupert, Ryder, Sales, Strange, Throssel, Walton, Zeh. Total—28.

Absent and not voting: Fletcher, Hanson, Harris, Kinville, Larson (Sheridan), Leavens, Lemmon, Murphy, McCarty, Nelstead, Schoening, Shields, Smith. Total—13.

House Bill No. 65, by Graybill, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Caplis, Castles, Clarke, Susick, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Flynn, Fox, Gordon, Graybill, Green, Hanson, Hardcastle, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Larson (Cascade), Larsen (Sheridan), Lincoln, Loble, Masters, Meagher, Merritt, Moriarity, Morris, Moss, Moulton, Mulholland, McAfee, McGrath, Nagle, Nelson, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Reed, Rice, Ruffcorn, Rupert, Ryder, Sales, Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Tinsley, Troy, Waite, Walker, Walton, White, Wold, Zeh, Mr. Speaker. Total—85.

Noes: Bergstrom, Miller. Total—2.

Absent and not votink: Fletcher, Harris, Kennedy, Kinville, Larson, (Sheridan), Leavens, Lemmon, Murphy, McCarty, Nelstead, Schoening, Shields, Smith (Lewis and Clark), Wuerthner. Total—14.

House Bill No. 38, by Wuerthner, having been read three several times, title and history having been agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Castles, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Flynn, Fox, Gordon, Graybill, Green, Hanson, Hardcastle, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kennedy, Larson (Cascade), Larsen (Sheridan), Lincoln, Loble, Masters, Meagher, Merritt, Miller, Moriarity, Morris, Moss, Moulton, Mulholland, McAfee, McCarty, McGrath, Nagle, Nelson, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Reed, Rice, Ruffcorn, Rupert, Ryder, Sales, Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Tinsley, Troy, Waite, Walker, Walton, White, Wold, Zeh, Mr. Speaker. Total—86.

Noes: None.

Absent and not voting: Caplis, Eaton, Fletcher, Harris, Joffray, Kinville, Larson (Sheridan), Leavens, Lemmon, Murphy, Nelstead, Schoening, Shields, Smith (Lewis and Clark), Wuerthner. Total—15.

## CONSIDERATION OF GENERAL ORDERS

Moved by Ruffcorn, duly seconded and carried, that House now resolve itself into Committee of the Whole for the consideration of General Orders, and that the time allowed any person for discussion be limited to ten minutes on each question.

Mr. Ruffcorn in the chair.

The committee arose.

Mr. Speaker in the chair.

The Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration Senate Joint Resolution No. 1, House Bills Nos. 74, 80, 81, 83, 85, 66 and 82, respectfully report as follows: That

Senate Joint Resolution No. 1 be concurred in.



House Bill No. 74, the enacting clause be stricken out.

House Bill No. 80 do pass.

House Bill No. 81 do pass.

House Bill No. 83 be amended as follows:

Section 3. By striking out all of said Section 3, and that as amended House Bill No. 83 do pass.

House Bill No. 85 be amended as follows:

Section 2. By striking out all of said Section 2; and by adding a new section to be known as Section 2: Section 2. All Acts or parts of Acts in conflict herewith are hereby repealed.

Title. By adding after the words "of 1923" the following: "Relating to the establishment of a game preserve in a portion of Lincoln county, for the protection of game animals and birds, to be known as Wolf Creek Game Preserve, and providing penalties for the killing, hunting, trapping and pursuing any game animals or birds in such preserve, or the carrying of firearms therein."

That House Bill No. 66 be referred to Judiciary Committee.

That House Bill No. 82 be amended as follows:

Section 1, by striking out in line 13 the words and figures "Twenty-five" and "One Hundred Dollars" and inserting in lieu thereof the words "Ten (\$10.00) Dollars nor more than Fifty (\$50.00) Dollars."

Section 2, by striking out in line 2 the word "section" and by inserting in lieu thereof the word "Act,"

and that House Bill No. 82, as so amended, do pass.

W. M. RUFFCORN, Chairman.

Moved by Ruffcorn, duly seconded and carried, that report of Committee of the Whole be adopted.

The Printing Committee reported as follows:

Mr. Speaker: We, your Committee on Printing, beg leave to report the following bills correctly printed:

House Bills 112, 110, 126, 92, 124, 111, 122, 131 and 49.

House Memorial No. 2.

FRED ZEH, Chairman.

Moved by Ruffcorn, duly seconded and carried, that House adjourn until 10:00 A. M., Saturday, January 24, 1925.

R. C. BRICKER, Speaker.

Attest: H. J. FAUST, Chief Clerk.

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## TWENTIETH DAY

House of Representatives,  
Helena, Montana, January 24, 1925.

House met pursuant to adjournment at 10:00 A. M.

Mr. Speaker in the chair.

Prayer by the Chaplain.

On roll call all present except: Leavens, Peat—absent; Fletcher, Schoening, Larson (Robt.), Fitzgerald—excused on account of sickness; Andrus, Beadle, Campbell, Castles, Doran, Fox, Harcastle, Holt, Johnson (Valley), Keeley, Kelly, Lemmon, Mulholland, McGrath, Sales, Stoddard, Troy—excused until Monday.

Committee on Journal reported as follows:

Mr. Speaker: We, your Committee on Journal, have this day exam-

ined the Journal for the nineteenth Legislative day and found the same correct.

PARKIN, Vice Chairman.

On motion of Parkin, report adopted.

### NOTICES

Authors gave notice that they will on tomorrow or some subsequent day introduce bills as follows:

By Bergstrom and Flachsenhar: A Bill for an Act entitled: "An Act to amend Section 412 of the Revised Codes of Montana of 1921, relating to county officers not to act as deputy."

By Fairgrieve: A Bill for an Act entitled: "An Act to amend Section 8339 of the Revised Codes of Montana of 1921, relating to mechanics' liens and providing for the inclusion of coal mines under the provisions relative to mechanics' liens."

By Flynn: A Bill for an Act entitled: "An Act to amend Section 4614 of the Revised Codes of Montana, 1921, as amended by Chapter 21, Laws of the Eighteenth Legislative Assembly, relating to county bonds."

### REPORTS OF STANDING COMMITTEES

The following reports were received from standing committees:

Mr. Speaker: We, your Committee on Public Morals, Charities and Reforms, having had under consideration House Bill No. 6, introduced by Fox, Parkin, and McCarty, being a bill for an Act entitled: "An Act to amend Section 3202 of the Revised Codes of Montana of 1921, providing penalties for the possession, control, sale, bartering, exchange, distribution or disposition of certain narcotic drugs contrary to the provisions of Sections 3189 to 3201, inclusive, of the Revised Codes of Montana of 1921," respectfully report as follows: That said House Bill No. 6 be re-referred to the Judiciary Committee.

E. O. HEDRICK, Chairman.

On motion of Hedrick, report adopted.

Mr. Speaker: We, your Committee on Conservation of Resources, having had under consideration House Bill No. 96, a Bill for an Act entitled: "An Act to create state forests; to provide for their use, management, control and disposition; to appoint a state forester, fix his salary and define his powers and duties; to authorize co-operation with timber operators, owners and farmers in forest protection, development, and extension; abolishing the office of assistant state forester; and to repeal Sections 1830, 1832, 1837, 1873, 1874, 1875, 1876, 1877, 1878, of the Revised Codes of Montana of 1921," respectfully report as follows: That House Bill No. 96 be amended by changing the rate of salary of the state forester from \$3600 per year to \$2500, and when so amended that the bill do pass.

HOFFMAN, Chairman.

On motion of Hoffman, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 144, introduced by Ainsworth, a Bill for an Act entitled: "An Act to amend Chapter 14 of the Revised Penal Code of Montana of 1921, by adding thereto two new sections to be known as Section 11775A, relating to change of venue, and Section 11775B, relating to transfer of papers and proceedings, and repealing all Acts and parts of Acts in conflict herewith," respectfully report as follows: That House Bill No. 144 do pass.

BURNS, Chairman.

On motion of Burns, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 143, introduced by Ainsworth and Campbell,

a Bill for an Act entitled: "An Act to amend Section 12223 of the Revised Codes of Montana of 1921, relating to the dismissal of criminal actions," respectfully report as follows: That House Bill No. 143 be amended as follows:

Amend Section 2 of said House Bill No. 143 by striking out the last paragraph thereof, to-wit: "The prosecution of a defendant admitted to bail, and who is not confined in jail or other place of imprisonment, shall not be so dismissed," and inserting in lieu thereof the following:

"If a defendant who has been admitted to bail and is not confined in jail, and his trial has not been postponed upon his application, is not brought to trial within one year after the finding of the indictment or the filing of the information," and as amended do pass.

BURNS, Chairman.

On motion of Burns, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 68, introduced by Ainsworth, a Bill for an Act entitled: "An Act to amend Section 4736 of the Revised Codes of Montana of 1921, relating to the opening and closing of certain county offices, and repealing all Acts and parts of Acts in conflict herewith," respectfully report as follows: That House Bill No. 68 be amended as follows:

By striking out the words "Except legal holidays" in line 18 of Section 1, and adding after the word "it" in line 19 of said Section 1 the words "except legal holidays."

Also amend by adding the following words and sentences after the word "time" in line 23 of said Section 1: "and provided further, that in case the county attorney or assessor is, at any time, required to leave his office in order to perform his official duties, and is then without a deputy, he may close his office during such absence," and as amended do pass.

BURNS, Chairman.

On motion of Burns, report adopted.

Mr. Speaker: We, your Committee on Labor, having had under consideration House Bill No. 94, introduced by Hedrick, a Bill for an Act entitled: "An Act providing for a lien upon personal property for services performed by agricultural and farm laborers," respectfully report as follows: That House Bill No. 94 do not pass.

FAIRGRIEVE, Chairman.

Moved by Fairgrieve, duly seconded, that report be adopted.

Substitute motion by Hedrick, duly seconded, that House Bill No. 94 be re-referred to Committee on Labor.

Question arising on substitute motion, same carried.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 142, introduced by Loble and Keeley, a Bill for an Act entitled: "An Act to repeal Section 11295 of the Revised Codes of Montana, 1921, relating to leaving the state with the intent to witness a prize fight," respectfully report as follows: That House Bill No. 142 do not pass.

BURNS, Chairman.

On motion of Burns, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 12, introduced by Loble, a Bill for an Act entitled: "An Act to repeal Section 11520 of the Revised Codes of Montana of 1921, relating to harboring and concealing apprentices and other persons bound or held to service or labor," respectfully report as follows: That House Bill No. 12 do not pass.

BURNS, Chairman.

Moved by Burns, duly seconded, that report be adopted.



Substitute motion by Loble, duly seconded, that House Bill No. 12 be printed and placed on General Orders.

Question arising on substitute motion, same is lost.

Question arising on original motion that report be adopted, same carried.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 76, introduced by Loble and Keeley, a Bill for an Act entitled: "An Act to repeal Section 10761 of the Revised Codes of Montana of 1921, relating to furnishing entertainment for the electors," respectfully report as follows: That House Bill No. 76 do not pass.

BURNS, Chairman.

On motion of Burns, report adopted.

Mr. Speaker: We, the majority of your Committee on Judiciary, having had under consideration House Bill No. 66, introduced by Flachsenhar, a Bill for an Act entitled: "An Act to amend Sections 640 and 652 of the Revised Codes of Montana of 1921, and repealing such portion of Section 1, of Chapter 133, of the Laws of the Eighteenth Legislative Assembly of the State of Montana of 1923, as amending said sections, all relating to primary elections," respectfully report as follows: That House Bill No. 66 be amended as follows:

A Bill for an Act entitled: "An Act to amend Sections 640 and 652 of the Revised Codes of Montana of 1921, as amended by Section 1, of Chapter 133, of the Laws of the Eighteenth Legislative Assembly of the State of Montana of 1923, all relating to primary elections."

That Section V be amended to read as follows:

"Section V. This Act shall be in full force and effect from and after September 15th, 1925."

That said bill do pass and be placed at the head of General Orders.

BURNS, Chairman.  
DAVID R. SMITH,  
H. S. AINSWORTH,  
C. F. HOLT.  
RUFFCORN,  
FLACHSENHAR,  
JOHNSON OF FERGUS.

Mr. Speaker: We, the minority of your Committee on Judiciary, having had under consideration House Bill No. 66, introduced by Flachsenhar, a Bill for an Act entitled: "An Act to amend Sections 640 and 652 of the Revised Codes of Montana of 1921, and repealing such portion of Section 1, of Chapter 133, of the Laws of the Eighteenth Legislative Assembly of the State of Montana of 1923, amending said sections, all relating to primary elections," respectfully report as follows: That House Bill No. 66 do not pass.

BESANCON, Chairman.

Moved by Burns, duly seconded, that majority report be adopted.

Moved by Loble, as substitute motion, that minority report be adopted.

Question arising on substitute motion that minority report be adopted, same failed.

Question arising on original motion that majority report be adopted, same carried.

#### INTRODUCTION OF BILLS AND MEMORIALS

The following bills were read first and second times by title only and referred to committees as follows:

House Bill No. 158, introduced by Besancon and Lincoln: A Bill for an Act entitled: "An Act to amend Sections 715, 716, 720 and 729 of

the Montana Revised Codes, 1921, and also to amend Section 717 of said Code as amended by Section 1, Chapter 151, Montana Session Laws, 1923, all relating to voting the absent ballot and voting by those unable to attend the polls." Committee on Privileges and Elections.

House Bill No. 159, introduced by Duncan: A Bill for an Act entitled: "An Act to amend Section 2215 of the Revised Codes of Montana, 1921, relating to the title conveyed by tax deed and providing that such deeds shall not exempt the property to be conveyed thereby from the payment of special assessments." Committee on Revenue and Taxation.

House Bill No. 160, introduced by Duncan: A Bill for an Act entitled: "An Act to permit real property to be redeemed from tax sale by paying the original tax and interest thereon." Referred to Revenue and Taxation Committee.

House Bill No. 161, introduced by the Committee on Agriculture: A Bill for an Act entitled: "An Act creating a Division of Weights and Measures in the Department of Agriculture, Labor and Industry and defining its composition, powers and duties; regulating the use and inspection of weights and measures, fixing the fees to be collected for such inspection and the disposition of same; authorizing arrests and providing penalties for the violation of this Act; and repealing Sections 3454, 3575, 4233, 4235, 4236, 4237, 4238, 4239, 4240, 4241, 4242, 4243, 4244, 4245, 4247, 4250, 4251, 4252, 4253, 4258, 4259, 4260, 4261, 4262, 4263, and 4264 of the Revised Codes of Montana, 1921, and Section 2 of Chapter 41 of the Laws of the Eighteenth Legislative Assembly of Montana of 1923, and all other Acts and parts of Acts in conflict herewith." Referred to Agriculture Committee.

House Bill No. 162, introduced by Smith of Lewis and Clark: A Bill for an Act entitled: "An Act repealing Section 8932 of the Revised Codes of Montana, 1921, relating to payment of stenographer's costs in civil actions." Referred to Judiciary Committee.

House Bill No. 163, introduced by Strange and Fitzgerald: A Bill for an Act entitled: "An Act to amend Sections 7135, 7140, 7141, 7145, 7149, 7150, 7151 and 7159 of the Revised Codes of Montana of 1921, relating to the maintenance and repair of water ditches and water systems and expenses therefor, and to the powers and duties of the water commissioner, and making such expenses a lien upon the land prior to all other liens except taxes." Referred to Committee on Irrigation and Water Rights.

House Bill No. 164, introduced by Loble and Keeley: A Bill for an Act entitled: "An Act to repeal Section 11043 of the Revised Codes of Montana, 1921, relating to the sale of merchandise at camp meetings." Referred to Ways and Means Committee.

House Bill No. 165, introduced by Ruffcorn, Besancon, Johnson (Valley), Burns and Brandt: A Bill for an Act entitled: "An Act relating to the admission in evidence of general reputation in the trial of certain cases." Referred to Committee on Judiciary.

House Bill No. 166, introduced by Wuerthner, Peterson: A Bill for an Act entitled: "An Act to amend Section 1760 of the Revised Codes of Montana, 1921, as amended by Chapter 107 of the Session Laws of the Eighteenth Legislative Assembly of Montana, 1923, relating to registration fees for motor vehicles and the disposition thereof, and amending Section 2392 of the Revised Codes of Montana, 1921, as amended by Chapter 150 of the Session Laws of the Eighteenth Legislative Assembly of Montana, 1923, relating to disposition of the tax on gasoline." Referred to Revenue and Taxation Committee.

House Bill No. 167, introduced by Flynn: A Bill for an Act entitled: "An Act to repeal Sections 2808, 2809, 2810 and 2811 of the Revised Codes of Montana of 1921, relating to the storage and transportation of explosives." Referred to Public Safety Committee.

House Bill No. 168, introduced by Plumer: A Bill for an Act en-

titled: "An Act to appropriate money from the Industrial Accident Fund of the State of Montana for payment of additional compensation on the claim of Sam Nestor, which claim was disallowed by the Industrial Accident Board because it was not presented within six months following the date of the injury." Referred to Committee on Appropriations.

### MOTIONS AND RESOLUTIONS

Moved by Burns, duly seconded and carried, that House Bill No. 29 be placed at the foot of list of General Orders.

Moved by Ruffcorn, duly seconded and carried, that Senate Bill No. 1 be placed at the head of the list of General Orders.

Moved by Hanson, duly seconded and carried, that House Memorial No. 2 be placed second on list of General Orders.

Moved by Flachsenhar, duly seconded and carried, that House Bill No. 66 be considered correctly engrossed and printed and placed third on General Orders.

### CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

Moved by Ruffcorn, duly seconded and carried, that messages from Senate be considered read at length and the Journal so show.

The following messages were received from the Senate:

Helena, Montana, January 23, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following resolution, introduced by Conser, was this day read and adopted:

WHEREAS, It is a matter of common knowledge that the problem of the rural schools is one of the pressing problems in the State today, and,

WHEREAS, Many agencies in the state are attempting a campaign looking toward a policy of land settlement and an influx of new settlers, and,

WHEREAS, Efforts in behalf of such encouragement of new settlers may be nullified by lack of school facilities in rural communities, and by exorbitant special school tax levies, and,

WHEREAS, The Governor of this state, in his message to this Legislature, has recommended that, "The school laws be amended so that there may be brought about a more equitable distribution of school funds and a more economical use of the revenues raised for school purposes to the end that all children may have equal opportunities to secure a common school education," and,

WHEREAS, The records in the office of the State Examiner, the State Board of Equalization, and the Superintendent of Public Instruction, contain full data relating to the rural school facilities, enrollment, assessed valuations, and tax levies;

THEREFORE, BE IT RESOLVED, That a committee be appointed consisting of three members from the Senate and three from the House to make a survey from such records and such other data as they may be able to obtain, and report back with recommendations as to possible immediate legislation.

Thereupon, the President appointed the following Senators to act with a like committee from the House:

Griffin, Pauline, Buttelman.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, January 23, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following bills were this day introduced, read first and second times and referred to the standing committees:



S. B. No. 35, by Shelver: "An Act to regulate the occupation of barbering, conducting barber schools, hair dressing and beauty parlor work, and requiring all who work at such occupations to first obtain a license therefor, and requiring that said practitioners shall have an examination before they shall carry on said work; to create a Board of Examiners and provide for the appointment of said board; to authorize rules regulating the proper sanitation of barber shops, barber schools, beauty parlors and hair dressing establishments; to prevent the spreading of communicable diseases; to give said board power to make examinations of such establishments as are covered by this Act, to ascertain the sanitary conditions thereof; to give to said board the power to revoke licenses; and to provide and fix penalties for violation of any of the terms of this Act." Sanitary Affairs.

S. B. No. 36, by Hazelbaker: "An Act to amend Section 4143, Revised Codes, Montana, 1921, pertaining to the requirements of abstractors of titles relating to the renewal of abstractors' bonds." Judiciary Committee.

S. B. No. 37, by Watson: "An Act to amend Sections 715 and 716, Revised Codes, 1921, Section 717, Revised Codes, 1921, as amended by Chapter 151, Session Laws, 1923, and Section 720, Revised Codes, 1921, so as to extend the provisions thereof to persons incapacitated by sickness or injuries." Privileges and Elections Committee.

S. B. No. 38, by Watson: "An Act to amend Section 644, Revised Codes of Montana, 1921, as amended by Chapter 133, Session Laws, 1923, relating to the place and time for filing petitions for nominations for primary nominating elections." Privileges and Elections Committee.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, January 23, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Notice was this day given:

By Pomeroy, Cooper, Pauline: "An Act to establish a State Board of Forestry, defining the powers and duties of such board, providing for the appointment of the members and officers of such board and providing for the enforcement of the rules and regulations made by said board and of the laws relating to the protection and perpetuation of the forests and forest lands within the State of Montana. Sections 1833, 1836, 1839, 1841, 1842, 1848, 2763, 2765, 2766, 2767, 2769, 2771, 2772, 2773, 2774, 2775, 2776, 2777, and 4470, of the Revised Codes of Montana, and all other Acts and parts of Acts in conflict herewith are hereby repealed."

Respectfully,

J. F. CONE, Secretary of Senate.

There being no objections House reverted to Order of Business No. 2.

## NOTICES

Authors gave notice that they will on tomorrow or some subsequent day introduce bills as follows:

By McCarty: A Bill for an Act entitled: "An Act to authorize the State Board of Examiners of the State of Montana to purchase additional farm lands and additional dairy cattle for use in connection with the State Penitentiary, and for furnishing supplies to other state institutions and to the public, and making an appropriation therefor."

By Loble and Keeley: A Bill for an Act entitled: "An Act to amend Sections 2255 and 2257 and repealing Sections 2256, 2258, 2259, 2260, 2261, 2262, 2263 and 2264 of the Revised Codes of Montana of 1921, relating to settlements of the County Treasurer with the State Treasurer and the report of the County Clerk to the State Auditor covering such settlement."

## THIRD READING OF SENATE BILLS

Senate Joint Resolution No. 1, introduced by Leuthold, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Berryman, Besancon, Brandt, Budas, Burns, Caplis, Clarke, Cusick, Davis, Dellwo, Duncan, Eaton, Fairgrieve, Fitzgarrald, Flachsenhar, Flynn, Gordon, Graybill, Green, Hanson, Harris, Hawley, Hedrick, Higham, Hoffman, Holton, Joffray, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Lincoln, Loble, Masters, Meagher, Merritt, Miller, Moriarty, Morris, Moss, Moulton, Murphy, McAfee, McCarty, Nagle, Nelson, Nelstead, Parkin, Patterson, Peterson, Plank, Plumer, Rice, Ruffcorn, Rupert, Ryder, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Strange, Throssel, Tinsley, Waite, Walker, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—73.

Noes: None.

Absent and not voting: Andrus, Beadle, Bergstrom, Campbell, Castles, Donaldson, Doran, Fitzgerald, Fletcher, Fox, Hardcastle, Holt, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Larson (Sheridan), Leavens, Lemmon, Mulholland, McGrath, Peat, Reed, Sales, Schoening, Stoddard, Troy, Wold. Total—28.

There being no objections, House reverted to Order of Business No. 6.

## MOTIONS AND RESOLUTIONS

Moved by Moss, duly seconded and carried, that "all bills on third reading hereafter be read by title, history and section number only," subject to having any bill or section of bill read at length upon request.

Moved by Eaton, duly seconded and carried, that House concur in the resolution of the Senate asking for an educational survey and that the Speaker select three members to serve on this joint committee as requested.

## CONSIDERATION OF GENERAL ORDERS

Moved by Ruffcorn, duly seconded and carried, that House now resolve itself into Committee of the Whole for consideration of General Orders.

Caplis in the chair.

Committee arose.

Mr. Speaker in the chair.

Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration Senate Bill No. 1, House Memorial No. 2, and House Bills Nos. 66 and 47, respectfully report as follows:

Senate Bill No. 1 be concurred in.

House Memorial No. 2 do pass.

House Bill No. 66 be amended as follows:

Section 1. By striking out lines 1 and 2 of Section 1 and inserting in lieu thereof the words "Section 1. That that portion of Section 1 of Chapter 133 of the Laws of 1923 as amending Section 640 of the Revised Codes of Montana of 1921 be and the same is hereby amended as follows:" and by striking out in lines 30 and 31 the words "the primary election" and inserting in lieu thereof the words "being notified of such nomination."

Section 2. By striking out lines 1 and 2 and inserting in lieu thereof the words: "Section 2. That that portion of Section 1 of Chapter 133 of the Session Laws of 1923 as amending Section 652 of the Revised Codes of Montana of 1921 be, and the same is hereby amended to read as follows:"

Section 3. By striking out all of Section 3.

Section 4. By striking out in line 1 the number "4" and inserting in lieu thereof the number "3."

Section 5. By striking out in line 1 the number "5" and inserting in lieu thereof the number "4,"

and that as amended House Bill No. 66 do pass.

House Bill No. 47 be referred to Judiciary Committee.

JOHN J. CAPLIS, Chairman.

On motion of Caplis, report adopted.

The Printing Committee reported as follows:

Mr. Speaker: We, your Committee on Printing, beg leave to report the following bills correctly printed:

House Bills Nos. 101 and 91.

House Joint Memorial No. 2.

FRED W. ZEH, Chairman.

There being no objections House reverted to Order of Business No. 6:

### MOTIONS AND RESOLUTIONS

Moved by Ruffcorn, duly seconded and carried, that Senate Bill No. 1 be placed at the head of list for Third Reading.

Moved by Hanson, duly seconded and carried, that House Memorial No. 2 be considered properly engrossed and printed and placed second on list for Third Reading.

Moved by McCarty, duly seconded and carried, that House Joint Memorial No. 2 be considered printed and placed on General Orders.

There being no objections, House reverted to Order of Business No. 4

### REPORTS OF STANDING COMMITTEES

The following report was received from Standing Committee:

Mr. Speaker: We, your Committee on Insurance, having had under consideration Substitute House Bill No. 72, introduced by the Committee on Insurance: A Bill for an Act entitled: "An Act prescribing the powers and duties of the State Fire Marshal amending Section 2737, Chapter 209," respectfully report as follows: That Substitute House Bill No. 72 do pass.

FLYNN, Chairman.

On motion of Flynn, report adopted.

### THIRD READING OF SENATE BILLS

Loble moved, duly seconded and carried, that Senate Bill No. 1 be read by title and history and section numbers only.

Senate Bill No. 1, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Caplice, Clarke, Cusick, Dellwo, Donaldson, Duncan, Eaton, Fairgrieve, Fitzgarrald, Flachsenhar, Flynn, Gordon, Graybill, Green, Hanson, Harris, Hawley, Hedrick, Higham, Hoffman, Holton, Joffray, Johnson (Fergus), Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Lincoln, Loble, Masters, Merritt, Miller, Moriarity, Morris, Moss, Moulton, Murphy, McAfee, McCarty, Nagle, Nelson, Nestead, Parkin, Patterson, Peterson, Plank, Plumer, Reed, Rice, Ruffcorn, Rupert, Ryder, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Strange, Throssel, Tinsley, Waite, Walker, Walton, White, Wold, Wuerthner, Zeh, Mr. Speaker. Total—76.

Noes: None.

Absent and not voting: Andrus, Beadle, Campbell, Castles, Davis, Doran, Fitzgerald, Fletcher, Fox, Hardcastle, Holt, Johnson (Valley),



Keeley, Kelly, Larson (Sheridan), Leavens, Lemmon, Meagher, Mulholland, McGrath, Peat, Sales, Schoening, Stoddard, Troy. Total—25.

### THIRD READING OF HOUSE BILLS

House Memorial No. 2, introduced by Hanson and Gordon, having been read three several times, history and title agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Caplis, Clarke, Cusick, Dellwo, Donaldson, Duncan, Eaton, Fairgrieve, Fitzgarrald, Flachsenhar, Flynn, Gordon, Graybill, Green, Hanson, Harris, Hawley, Hedrick, Higham, Hoffman, Holton, Joffray, Johnson (Fergus), Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Lincoln, Loble, Masters, Merritt, Miller, Moriarity, Morris, Moss, Moulton, McAfee, McCarty, Nagle, Nelson, Nelstead, Parkin, Patterson, Peterson, Plank, Plumer, Reed, Rice, Ruffcorn, Rupert, Ryder, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Strange, Throssel, Tinsley, Waite, Walker, Walton, White, Wold, Wuerthner, Zeh, Mr. Speaker. Total—75.

Noes: None.

Absent and not voting: Andrus, Beadle, Campbell, Castles, Davis, Doran, Fitzgerald, Fletcher, Fox, Hardcastle, Holt, Johnson (Valley), Keeley, Kelly, Larson (Sheridan), Leavens, Lemmon, Meagher, Mulholland, Murphy, McGrath, Peat, Sales, Schoening, Stoddard, Troy. Total—26.

In conformity with Senator Conser's resolution, Mr. Speaker then appointed the following committee to act with a like committee from the Senate to make a survey of school records and data with a view of suggesting any remedial legislation necessary: Davis, Hanson, Besancon.

Moved by Ruffcorn, duly seconded and carried, that House adjourn until 1:00 P. M., Monday, January 26, 1925.

R. C. BRICKER, Speaker.

Attest: H. J. FAUST, Chief Clerk.

### TWENTY-SECOND DAY

House of Representatives,  
Helena, Montana, January 26, 1925.

House met pursuant to adjournment at 1:00 P. M.

Mr. Speaker in the chair.

Prayer by the Chaplain.

On roll call all present except: Fletcher, excused on account of sickness; and Schoening, Troy and Walker, absent.

The Journal Committee reported as follows:

Mr. Speaker: We, your Committee on Journal, have this day examined the Journal for the 20th Legislative day and found the same correct.

PEARL I. SMITH, Chairman.

On motion of Smith, report adopted.

### COMMUNICATIONS AND PETITIONS

Communications from the following were ordered read by the Speaker, read but not entered on the Journal:

Woman's Community Club of Charlo, Montana.

Butte Stationary Engineers' Union.

Silver Bow Trades and Labor Council.

United Mine Workers of America.

Silver Bow League Women Voters.

## NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce bills as follows:

By Smith of Lewis and Clark: A Bill for an Act entitled: "An Act to amend Section 12036 of the Revised Codes of the State of Montana relating to proceedings on acquittal on ground of insanity."

By Committee on Military Affairs, by A. White, chairman: A Bill for an Act entitled: "An Act authorizing and directing the Governor of Montana to appoint a commission of five members to be known as the 'Montana War Memorial Commission' and defining its powers and duties respecting the establishment by the State of Montana of a permanent memorial at the capitol of said State in memory of the men and women, living and dead, of said State, who participated in the military forces of the United States during the World war, and directing said commission to report its findings to the Twentieth Legislative Assembly of the State of Montana not later than January 10th, 1927, and appropriating the sum of Two Thousand Dollars, or as much thereof as may be necessary for the work of said commission."

By Caplis and Kinville: A Bill for an Act entitled: "An Act to authorize and provide for the consolidation and merging of the corporate existence and government of the County of Silver Bow and all cities and towns therein into one municipal corporation and government under the corporate name 'City and County of Butte,' defining the powers thereof and providing a commission-mayor plan of government therefor."

By Berryman: A Bill for an Act entitled: "An Act to prohibit the Railroad and Public Service Commission of the State of Montana from increasing the rates of a public utility in this State where such rates have been fixed under a franchise granted to such public utility by the votes of the qualified electors of such municipality; and providing that an application by any such public utility to said Railroad and Public Service Commission for such purpose shall render such franchise null and void."

By Committee on Livestock and Public Ranges: A Bill for an Act entitled: An Act to provide for an experimental field station for investigating the nature, cause and methods of control of the disease known as progressive pneumonia, and providing for the leasing of a farm or ranch, the purchasing of sheep, and for the operation and equipment of the farm as an experimental field station, and the care of the sheep for the fiscal year ending June 30th, 1926, and June 30th, 1927, under the supervision of the Director of the Montana Experiment Station, and providing for the payment of necessary expenses incurred and appropriating money therefor."

By Loble and Keeley: A Bill for an Act entitled: "An Act to repeal Section 10766, of the Revised Codes of Montana 1921, relating to disturbance of public meetings."

By Wuerthner: A Bill for an Act entitled: "An Act prohibiting the removal of fixtures from real estate upon which there is a subsisting mortgage or lien and fixing the penalty therefor."

By Waite: A Bill for an Act entitled: "An Act relating to the financial aid of dependent children commonly known as the mother's pension Act creating a mother's pension fund and authorizing a tax for the raising of such fund; and providing for a method of computing the accumulated property and annual income of claimants for allowances under the authority of Section 10480 to 10487 of the Revised Codes of Montana, 1921, and amending Sections 10483 of such Codes."

## REPORTS OF STANDING COMMITTEES

The following reports were received from Standing Committees:

Helena, January 26, 1925.

Mr. Speaker: We, your Committee on Ways and Means, request that you extend the following communication to the Honorable Senate Committee on Revenue and Taxation:

To the Hon. Chairman and Members of the Senate Committee on Revenue and Taxation:

You are hereby invited to join with the House Committee on Ways and Means in a public hearing to be held in the Grill Room of the Placer Hotel on January 26, 1925, at 7:30 P. M., the bill to be considered House Bill No. 40, by Berryman et al, relating to sale and redemption of delinquent taxes on real property, better known as the "Tax Title Bill."

Respectfully,  
COMMITTEE ON WAYS AND MEANS,  
By HAWLEY, Vice-Chairman.

Moved by Hawley, duly seconded and carried, that report be adopted and that communication from Ways and Means Committee be transmitted to Senate immediately in order that they may have it for this afternoon's work.

Mr. Speaker: We, your Committee on Livestock and Public Ranges, having had under consideration House Joint Resolution No. 4: "Providing that fifty per cent of the grazing fees received during any fiscal year from national forests shall be paid to the State or Territory in which the National forest is located," respectfully report as follows: That House Joint Resolution No. 4 do pass.

LEAVENS, Chairman.

On motion of Leavens, report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 137, introduced by Mr. Keeley: A Bill for an Act entitled: "An Act to amend Section 2131, Revised Codes of Montana, 1921, relating to the assessment of railroads," respectfully report as follows: That House Bill No. 137 do pass.

DONALDSON, Chairman.

On motion of Parkin, report adopted.

Mr. Speaker: We, your Committee on Public Morals, Charities and Reforms, having had under consideration House Bill No. 155, introduced by Loble and Keeley: A Bill for an Act entitled: "An Act to repeal Section 11567 of the Revised Codes of Montana, 1921, relating to the exhibition of moving pictures depicting a felony," respectfully report as follows: That House Bill No. 155 do not pass.

E. O. HEDRICK, Chairman.

On motion of Hedrick, report adopted.

Mr. Speaker: We, the majority of your Committee on Judiciary, having had under consideration House Bill No. 121, introduced by James T. Fitzgerald: A Bill for an Act entitled: "An Act permitting defendants in criminal actions and proceedings and in quasi criminal actions and proceedings, to disqualify judicial officers, providing the manner in which such shall be done, and the procedure after such disqualification," respectfully report as follows: That House Bill No. 121 do not pass.

BURNS,  
CAMPBELL,  
BESANCON,  
NELSTEAD,  
LEAVENS,  
AINSWORTH,  
FITZGARRALD of Ravalli.  
C. F. HOLT,  
DAVID R. SMITH.

Mr. Speaker: We, the minority of your Committee on Judiciary, having had under consideration House Bill No. 121, introduced by James T. Fitzgerald: A Bill for an Act entitled: "An Act permitting defendants in criminal actions and proceedings and in quasi criminal actions and proceedings, to disqualify judicial officers, providing the manner in which



such shall be done, and the procedure after such disqualification," respectfully report as follows: That House Bill No. 121 do pass.

JAMES T. FITZGERALD.  
KERR BEADLE,  
W. R. FLACHSENHAR.

Moved by Burns, duly seconded, that majority report be adopted.

Moved by Fitzgerald as substitute motion, duly seconded, that minority report be adopted.

Question arising on substitute motion, same failed.

Question arising on original motion, same carried.

Mr. Speaker: We, your Committee on Irrigation and Water Rights, having had under consideration House Bill No. 98, introduced by Graybill: A Bill for an Act entitled: "An Act to amend Sections 1955, 1957, 1959, 4023, of the Revised Codes of Montana of 1921, relating to the duties of the State Engineer, the location of his office, his official bond, and making him ex-officio chief engineer for the Board of Railroad Commissioners, Public Service Commission, Irrigation Commission and Trade Commission, and repealing Section 1956, of the Revised Codes of Montana of 1921, relating to the duties of the State Engineer," respectfully report as follows: That House Bill No. 98 do pass, with Section 1 amended to read as follows: By adding at the end of paragraph 6 thereof

"The office of Chief Engineer for the Public Service Commission, the Board of Railroad Commissioners, the Trade Commission, and the Irrigation Commission, as such office may be now constituted by law or by any rule, order, resolution, or other action of said Boards, and the office of any person or persons now performing the duties of a chief engineer for said boards or commissions, are hereby declared vacant, and shall be henceforth filled by the person who is for the time being State Engineer."

STRANGE, Chairman.

On motion of Strange, report adopted.

Mr. Speaker: We, your Committee on Public Morals, Charities and Reforms, having had under consideration House Bill No. 128, introduced by Ainsworth: A Bill for an Act entitled: "An Act abolishing the State Bureau of Child and Animal Protection, and repealing Sections 336 to 349 inclusive of the Revised Codes of Montana of 1921, relating to the State Bureau of Child and Animal Protection," respectfully report as follows: That House Bill No. 128 do not pass.

E. O. HEDRICK, Chairman.

On motion of Hedrick, report adopted.

Mr. Speaker: We, your Committee on Public Morals, Charities and Reforms, having had under consideration House Bill No. 127, introduced by Ainsworth: A Bill for an Act entitled: "An Act authorizing and requiring probation officers to perform certain additional duties; defining such duties; making it the duty of Boards of County Commissioners to pay for the care of maintenance of certain children; authorizing probation officers to make arrests in cases in violation of any provision of the laws relating to wrongs to children and dumb animals; to investigate and enforce the law pertaining to minor children and dumb animals; and repealing all Acts and Parts of Acts in as far as the same conflict herewith," respectfully report as follows: That House Bill No. 127 do not pass.

E. O. HEDRICK, Chairman.

On motion of Hedrick, report adopted.

#### INTRODUCTION OF BILLS AND MEMORIALS

The following bills were introduced, read first and second times by title only and referred to committees as follows:

House Bill No. 169, by McAfee: A Bill for an Act entitled: "An Act

to amend Sections 1533, 1536 and 1546 of the Revised Codes of Montana of 1921, relating to the appointment of officers, rules and regulations, salaries, suspension of subordinates, officials and employees; admission of wives and widows of soldiers or sailors; and appointment of chaplain of the Soldiers' Home." Referred to State Institutions, Public Buildings and Grounds.

House Bill No. 170, by McCarty: A Bill for an Act entitled: "An Act to authorize the State Board of Examiners of the State of Montana to purchase additional farm lands and additional dairy cattle for use in connection with the State Penitentiary and for furnishing supplies to other State institutions and to the public and making an appropriation therefor." Referred to State Institutions, Public Buildings and Grounds Committee.

House Bill No. 171, by Duncan: A Bill for an Act entitled: "An Act to amend Section 5251 of the Revised Codes of Montana, 1921, relating to the certification of special assessments to the County Clerk and the collection of special assessments by cities and towns, and providing for the manner of payment of special assessments, the time when the same shall become delinquent, and the penalty and interest for delinquent special assessments." Referred to Committee on Affairs of Cities.

House Bill No. 172, by Bergstrom and Flachsenhar: A Bill for an Act entitled: "An Act to amend Section 412 of the Revised Codes of Montana of 1921, relating to county officers not acting as deputy for other officers of the same county." Townships and Counties.

House Bill No. 173, introduced by Duncan: A Bill for an Act entitled: "An Act to amend Section 5277 of the Revised Codes of Montana, 1921, relating to the method of levying assessments to defray the cost of sprinkling by providing for the time and manner of payment of such assessments." Affairs of Cities.

House Bill No. 174, introduced by Loble: A Bill for an Act entitled: "An Act to amend Sections 2255, and 2257 and repealing Sections 2256, 2258, 2259, 2260, 2261, 2262, 2263 and 2264 of the Revised Codes of Montana of 1921, relating to settlements of the County Treasurer with the State Treasurer and the report of the County Clerk to the State Auditor covering such settlement." State Boards and Officers.

House Bill No. 175, introduced by Flynn and Andrews: A Bill for an Act entitled: "An Act to amend Section 4614 of the Revised Codes of Montana, 1921, as amended by Chapter 21, Laws of the Eighteenth Legislative Assembly, relating to county bonds." Townships and Counties.

House Bill No. 176, introduced by Wuerthner and Shields: A Bill for an Act entitled: "An Act to amend Section 3899, Revised Codes of Montana, 1921, relating to the powers of the Public Service Commission and conferring upon that commission power, after hearing, to require public utilities subject to its jurisdiction, to adopt just, reasonable, safe and adequate practices, equipment, appliances and facilities and to make improvements in existing plants, equipment, apparatus or other physical property and to make additions, extensions, improvements and changes, and repealing all Acts or parts of Acts in conflict therewith." Public Safety.

House Joint Resolution No. 6, introduced by Anderson: "A Resolution regarding the Northern Montana Agricultural and Manual Training School at Fort Assiniboine." Agriculture.

#### MOTIONS AND RESOLUTIONS

Moved by Ruffcorn, duly seconded and carried, that House Bill No. 34 be taken from General Orders and put back on Third Reading.

Moved by Smith of Lewis and Clark, duly seconded and carried, that House Bill No. 36 be placed at the end of the list on General Orders.

Moved by Moss, duly seconded and carried, that from this day all communications, except those received from Senate and Governor, be not read at length or be not entered in the Journal, unless so ordered by the House.

## THIRD READING OF HOUSE BILLS

House Bill No. 34, introduced by Ruffcorn, Holton, Johnson of Valley, having been read three several times, history and title agreed upon, was passed by the following vote:

Ayes: Ainsworth, Akofer, Andrus, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Castles, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrahd, Flachsenhar, Flynn, Fox, Gordon, Graybill, Green, Hanson, Hardcastle, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lemmon, Lincoln, Masters, Meagher, Merritt, Miller, Moriarity, Morris, Moss, Moulton, Murphy, McAfee, McCarty, McGrath, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Reed, Rice, Ruffcorn, Rupert, Ryder, Sales, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Tinsley, Waite, Walker, Walton, White, Wold, Wuerthner, Zeh, Mr. Speaker. Total—90.

Noes: Anderson, Beadle, Fitzgerald, Mulholland. Total—4.

Absent: Caplis, Fletcher, Schoening, Shields, Troy. Total—5.

Present but not voting: Loble, Nagle. Total—2.

There being no objections House reverted to Order of Business No. 6:

## MOTIONS AND RESOLUTIONS

Moved by Anderson, duly seconded and carried, that House Resolution No. 6 be read at length.

There being no objections House reverted to Order of Business No. 4:

## REPORTS OF STANDING COMMITTEES

The following report from the Committee on Irrigation and Water Rights on House Bill No. 163 was received:

Mr. Speaker: We, your Committee on Irrigation and Water Rights, having had under consideration House Bill No. 163, introduced by Strange: A Bill for an Act entitled: "An Act to amend Sections 7136, 7140, 7145, 7149, 7150, 7151, and 7159 of the Revised Codes of Montana of 1921, relating to the maintenance and repair of water ditches and water systems and expenses therefor, and to the powers and duties of water commissioner, and making such expenses a lien upon the land prior to all other liens except taxes.

Respectfully report as follows: That House Bill No. 163 be referred to the Judiciary Committee, with the following amendment:

"Striking out Section 3 and renumbering the preceding sections."

STRANGE, Chairman.

On motion of Strange, report adopted.

## CONSIDERATION OF GENERAL ORDERS

Moved by Ruffcorn, duly seconded and carried, that House resolve itself into Committee of the Whole for consideration of General Orders.

Mr. Keeley in the chair.

Committee arose.

Mr. Speaker in the chair.

Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bills Nos. 45, 103, 26, 64 and 88, respectfully report as follows:

That House Bill No. 45 be amended as follows:

Section 1. By inserting the words "or City or Town Council" after the comma in line 3, and also after the word "Commissioners" in lines 4



and 10. Also by inserting the words "City or Town" before the word "Treasurer" in line 4,

and that, as amended, House Bill No. 45 do pass.

That House Bill No. 103 do pass.

That House Bill No. 26 do pass.

That House Bill No. 64 be amended as follows:

Section 3. By striking out all of Section 3, and that, as amended, House Bill No. 45 do pass.

That House Bill No. 88 be amended as follows:

Title: By inserting after the figures "1921" in line 2 the following: "relating to burning or destroying property insured, by providing that the burning or attempting to burn insured property shall be prima facie evidence of intent to defraud."

Section 1. By striking out in lines 1 and 2 "Laws of the Seventeenth Legislative Assembly" and inserting in lieu thereof the words: "Revised Codes of Montana of 1921"; by striking out in line 6 the semicolon and inserting in lieu thereof a comma; by striking out in line 6 the word "intent" and inserting in lieu thereof the word "attempting"; and by striking out in lines 6 and 7 the words "the burning of insured property or attempting to burn is prima facie evidence of intent to defraud" and inserting at the end of line 9 thereof the words: "The burning of insured property or attempting to burn is prima facie evidence of intent to defraud."

Section 2. By striking out line 1 thereof and inserting in lieu thereof the words: "Section 2. All Acts and parts of Acts in conflict herewith are hereby repealed,"

and that, as amended, House Bill No. 88 do pass.

KEELEY, Chairman.

On motion of Keeley, report adopted.

Mr. Speaker gave notice that he was about to sign Senate Joint Resolution No. 1, introduced by Leuthold, and accordingly signed same.

Moved by Ruffcorn, duly seconded and carried, that House recess until 3:00 P. M., the time set for Special Order of Business to consider House Joint Resolution No. 1 under General Orders.

House resumed.

Special Order, consideration of General Orders with respect to House Joint Resolution No. 1.

Mr. Ruffcorn moved, duly seconded and carried, that House now resolve itself into Committee of the Whole for consideration of General Orders.

Mr. Keeley in the chair.

The committee arose.

Mr. Speaker in the chair.

The Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration House Joint Resolution No. 1, respectfully report as follows: That House Joint Resolution No. 1 do pass.

W. E. KEELEY, Chairman.

Moved by Keeley, duly seconded and carried, that report be adopted.

At request of Loble, House reverted to Order of Business No. 6.

## MOTIONS AND RESOLUTIONS

Moved by Loble, duly seconded and carried, that House Joint Resolution No. 1 be considered correctly engrossed and placed on Third Reading.

## THIRD READING OF HOUSE BILLS

House Joint Resolution No. 1, having been read three several times, history and title agreed upon, was passed by the House by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Caplis, Castles, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgerald, Flachsenhar, Flynn, Gordon, Graybill, Hanson, Hardcastle, Harris, Hawley, Hedrick, Holt, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kennedy, Kinville, Larson, Larsen, Larson (Robert), Leavens, Lincoln, Loble, Masters, Meagher, Merritt, Miller, Moriarty, Morris, Moss, Mulholland, McAfee, McCarty, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Reed, Rice, Ruffcorn, Rupert, Ryder, Sales, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Strange, Throssel, Waite, Walker, Walton, White, Wold, Wuerthner, Zeh, Mr. Speaker. Total—86.

Noes: Fitzgarrald, Fox, Green, Higham, Hoffman, Lemmon, Moulton, Murphy, Plumer, Stoddard, Tinsley. Total—11.

Absent and not voting: Fletcher, Schoening, Shields, Troy. Total—4.

The Printing Committee reported as follows:

Mr. Speaker: We, your Committee on Printing, beg leave to report the following bills correctly printed:

Joint House Memorial No. 3.

House Bills Nos. 68, 119, 143, 144, 145.

Substitute House Bill No. 72.

FRED W. ZEH, Chairman.

Moved by Ruffcorn, duly seconded and carried, that House adjourn until 10:30 A. M., Tuesday, January 27, 1925.

R. C. BRICKER, Speaker.

Attest: H. J. FAUST, Chief Clerk.

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**TWENTY-THIRD DAY**

House of Representatives,

Helena, Montana, January 27, 1925.

House met pursuant to adjournment at 10:30 A. M.

Mr. Speaker in the chair.

Prayer by Chaplain.

On roll call all present except Fletcher and Shields, excused on account of illness.

The Journal Committee reported as follows:

Mr. Speaker: We, your Committee on Journal, have this day examined the Journal for the 22nd Legislative day and found the same correct.

PARKIN, Vice Chairman.

On motion of Parkin, report adopted.

The Engrossing Committee reported as follows:

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed:

House Bills Nos. 83, 80, 81, 82, 85 and 66.

BERRYMAN, Chairman.

**NOTICES**

Authors gave notice that they will on tomorrow or some subsequent day introduce bills as follows:

By Hedrick: A Bill for an Act entitled: "An Act to amend Sections 5149 and 5150, Revised Codes of Montana of 1921, relating to fire districts and the issuing of bonds by such districts."

By Pearl I. Smith: A Bill for an Act entitled: "An Act to amend Section 1 of Chapter 49 of the Session Laws of 1923, as amending Section 860 of the Revised Codes of Montana of 1921, relating to refunding fares to students."

By Lincoln, Patterson, Strange, Cusick: A Bill for an Act entitled: "An Act amending Section 1783 of the Revised Codes of Montana of 1921, relating to the State Highway Commission and Commissioner, creation, salary, bond and terms."

By Lincoln and Dellwo: A Bill for an Act entitled: "An Act to amend Section 1622 of the Revised Codes of Montana of 1921, adding one sub-section thereto relating to restriction of traffic on public highways."

By Loble and Keeley: A Bill for an Act entitled: "An Act to repeal Section 8697 of the Revised Codes of Montana, 1921, relating to damages incurred in a duel whereby the survivor in a duel must pay all the debts of his dead adversary."

By Johnson of Fergus: A Bill for an Act entitled: "An Act to amend Section 2367 of Chapter 184 of the Revised Codes of Montana of 1921, relating to the license tax on manufacturers of cement, etc."

By Ruffcorn, Holt, Elmer Johnson, Loble: A Bill for an Act entitled: "An Act to amend Section 2238, Revised Codes of Montana, 1921, as amended by Chapter 102, Session Laws, 1923, relating to the collection of personal property taxes."

#### REPORTS OF STANDING COMMITTEES

Standing committee reports as follows were received:

Mr. Speaker: We, your Committee on State Boards and Officers, having had under consideration House Bill No. 21, introduced by Zeh, a Bill for an Act entitled: "An Act to amend Section 210 of the Revised Codes of Montana of 1921, as amended by Chapter 78 of the Montana Session Laws of 1923, prescribing the duties of the State Examiner and his assistant," respectfully report as follows: That House Bill No. 21 be referred to the Committee on Banks and Banking.

SCHOENING, Chairman.

On motion of Schoening, report adopted.

Mr. Speaker: We, the majority of your Committee on Privileges and Elections, having had under consideration House Bill No. 59, a Bill for an Act entitled: "An Act to amend Section 651 of the Revised Codes of Montana as amended by Section 1 of Chapter 633 of the Laws of the Eighteenth Legislative Assembly of 1923, relating to arrangement, printing and voting of ballots at primary elections," respectfully report as follows: That House Bill No. 59 do not pass.

HARRIS, Chairman.  
GORDON,  
WOLD,  
RUFFCORN,  
WUERTHNER,  
TINSLEY,  
McCARTY,  
McGRATH.

Mr. Speaker: We, the minority of your Committee on Privileges and Elections, having had under consideration House Bill No. 59, introduced by Flachsenhar and McAfee, being a Bill for an Act entitled: "An Act to amend Section 651 of the Revised Codes of Montana as amended by Section 1 of Chapter 133 of the Laws of the Eighteenth Legislative Assembly of 1923, relating to arrangement, printing and voting of ballots



at primary elections," respectfully report as follows: That House Bill No. 59 be amended to read as follows:

That the title be amended to read: A Bill for an Act entitled: "An Act to amend Section 1 of Chapter 133 of the Session Laws of 1923, as amending Section 651 of the Revised Codes of Montana of 1921, relating to the arrangement, printing and voting of ballots at primary elections."

That the first paragraph of Section 1 be amended to read: "Section 1. That that portion of Section 1 of Chapter 133 of the Session Laws of 1923, as amending Section 651 of the Revised Codes of Montana of 1921 be, and the same is hereby amended to read as follows:" That all of Section 2 be stricken out. That Section 3 be renumbered to read Section 2. That Section 4 be amended to read as follows:

"Section 4. This Act shall be in full force and effect from and after September 15th, 1925."

That House Bill No. 59, as amended, do pass.

CASTLES.

Moved by Harris, duly seconded, that report of majority be adopted.

Moved by Flachsenhar, as substitute motion, duly seconded, that minority report be adopted.

Question arising on substitute motion that minority report be adopted, same carried.

Mr. Speaker: We, your Committee on Improvements and Manufacturing, having had under consideration House Bill No. 117, a Bill for an Act entitled: "An Act regulating the sale of goods, wares and merchandise in bulk," respectfully report as follows: That House Bill No. 117 do pass.

DUNCAN, Chairman.

On motion of Duncan, report adopted.

Mr. Speaker: We, your Committee on Public Morals, Charities and Reforms, having had under consideration House Bill No. 147, introduced by McCarty, a Bill for an Act entitled: "An Act to amend Section 4530, Revised Codes of Montana, 1921, relating to the care and burial of indigent sick or injured persons; providing for the services of a physician and the payment of the expenses thereof," respectfully report as follows: That House Bill No. 147 be amended as follows:

By striking out all of that part of Section 1 beginning in line 19 after the words "against the county" down to and including all of line 24, and inserting in lieu thereof the following: "provided that if another physician is sent in the place of the county physician, the sum allowed such other physician by the Board of County Commissioners for his services other than mileage as herein provided for shall be deducted from the next payment made to such county physician on account of his contract with the county."

Be amended as follows:

By striking out all of that part of Section 1, beginning in line 41 after the word "determined" down to and including all of line 44 and inserting in lieu thereof the following: "Or if such person has real or personal properties, the Board of County Commissioners may have the remedy of attachment for the collection of such debt, and the amount collected shall be paid to the County Treasurer and by him be credited to the County Poor Fund," and as amended do pass.

E. O. HEDRICK, Chairman.

On motion of Hedrick, report adopted.

Mr. Speaker announced that he was about to sign Senate Bill No. 1, introduced by Speer, and thereupon signed same.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 56, a Bill for an Act entitled: "An Act to amend Section 1010 of the Revised Codes of Montana of 1921, as amended

by Chapter 70 of the Session Laws of the Eighteenth Legislative Assembly of 1923, relating to transportation of pupils," respectfully report as follows: That House Bill No. 56 be amended as follows:

By striking out, beginning with line 22, the following words: "provided further that the trustees of any district shall not be allowed to expend any of the district's money transporting pupils who live nearer than 3 miles to a public school" and inserting in lieu thereof the following: "Provided that the trustee of any district shall not, except where there is rail transportation, or it is necessary to transport pupils for special instruction from school to school, be allowed to expend any of the district's money for transporting pupils who live nearer than two miles from the limits of an incorporated city in which the child attends school, or nearer than two and one-half miles from the school the child attends," and as so amended do pass.

EATON, Chairman.

On motion of Eaton, report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 154, introduced by Joffray, a Bill for an Act entitled: "An Act to amend Chapter 101 of Part III of the Political Code of Montana of 1921 by the enactment of a new section to be known as Section 1281A, providing that accredited high schools maintained by joint school districts shall for all the purposes of said chapter be considered as situated in each county in which any part of said joint district is situated, regardless of the actual situs of such school; and providing for the apportionment of the proceeds of county high school tax levies to joint district maintaining such high schools, and defining the method of such apportionment," respectfully report as follows: That House Bill No. 154 do pass.

EATON, Chairman.

On motion of Eaton, report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 118, introduced by Holt, a Bill for an Act entitled: "An Act to amend Section 1013 of the Revised Codes of Montana of 1921, relating to transfer of apportionment," respectfully report as follows: That House Bill No. 118 do pass.

EATON, Chairman.

On motion of Eaton, report adopted.

### INTRODUCTION OF BILLS AND MEMORIALS

The following bills were read first and second times by title only and referred to committees as follows:

Senate Bill No. 17, introduced by Church: A Bill for an Act entitled: "An Act extending the privilege of continual succession to corporations organized prior to the fifth day of March, 1903, for religious, social and benevolent purposes." Referred to Committee on Corporations other than Municipal.

Senate Joint Resolution No. 3, introduced by Scofield: "A Joint Resolution relating to the opening of the Great Lakes-St. Lawrence waterway from Duluth to the sea." Referred to Committee on Federal Relations.

House Bill No. 177, introduced by Committee on Livestock and Public Ranges: A Bill for an Act entitled: "An Act to provide for an experimental field station for investigating the nature, cause, and methods of control of the disease of sheep known as progressive pneumonia, and providing for the leasing of a farm or ranch, the purchase of sheep, and for the operation and equipment of the farm as an experimental field station, and the care of the sheep for the fiscal years ending June 30th, 1926, and June 30th, 1927, under the supervision of the director of the Montana Experiment Station, and providing for the payment of necessary expenses incurred, and appropriating money therefor." Referred to Appropriations Committee.



House Bill No. 178, introduced by Smith of Lewis and Clark: A Bill for an Act entitled: "An Act to amend Section 12036 of the Revised Codes of the State of Montana relating to proceedings on acquittal on ground of insanity." Referred to Judiciary Committee.

House Bill No. 179, introduced by Schoening: A Bill for an Act entitled: "An Act to Amend Section 9453 of the Revised Codes of Montana of 1921, relating to the cure of defects in judicial sales of real property." Referred to Judiciary Committee.

House Bill No. 180, introduced by Duncan: A Bill for an Act entitled: "An Act to amend Section 1 of Chapter 96 of the Laws of the Eighteenth Legislative Assembly of the State of Montana relating to and fixing the time and method of collecting taxes and interest thereon by providing that none of the provisions of said Chapter 96 shall be construed as in any manner applying to special assessments." Referred to Committee on Revenue and Taxation.

House Bill No. 181, introduced by Loble and Keeley: A Bill for an Act entitled: "An Act to repeal Section 10766 of the Revised Codes of Montana, 1921, relating to disturbance of public meetings." Referred to Committee on Public Safety.

House Bill No. 182, introduced by Committee on Military Affairs: A Bill for an Act entitled: "An Act authorizing and directing the Governor of Montana to appoint a commission of five members to be known as the Montana War Memorial Commission, and defining its power and duties respecting the establishment by the State of Montana of a permanent memorial at the capital of said state in memory of the men and women, living and dead, of said state, who participated in the military forces of the United States during the World War, and directing said

commission to report its findings to the Twentieth Legislative Assembly of the State of Montana not later than January 10th, 1927, and appropriating the sum of two thousand dollars, or as much thereof as may be necessary for the work of said commission." Referred to Committee on Military Affairs.

House Bill No. 183, introduced by Berryman: A Bill for an Act entitled: "An Act to prohibit the Railroad and Public Service Commission of the State of Montana from increasing the rates of a public utility in this state where such rates have been fixed under a franchise granted to such public utility by the votes of the qualified electors of such municipality; and providing that an application by any such public utility to said Railroad and Public Service Commission for such purpose shall render such franchise null and void." Public Utilities and State Commissions.

House Bill No. 184, introduced by Johnson of Fergus: A Bill for an Act entitled: "An Act to amend Section 2357 of Chapter 184 of the Revised Codes of Montana of 1921, relating to the license tax on manufacturers of cement, etc." Revenue and Taxation.

House Memorial No. 3, introduced by Burns: "Memorial to Congress of the United States asking it to amend the Interstate Commerce Act so as to protect shippers and livestock in their contracts with carriers." Livestock and Public Ranges.

### MOTIONS AND RESOLUTIONS

Moved by Hanson, duly seconded and carried, that the Speaker be authorized to appoint a committee of two to look after the sick members and report back to the House concerning their condition.

Moved by Nelstead, duly seconded and carried, that House Bill No. 101 be taken from General Orders and re-referred to Committee on Ways and Means.

### CONSIDERATION OF MESSAGES FROM SENATE AND GOVERNOR

Moved by Loble, duly seconded and carried, that messages from the Senate be considered read at length and that the Journal so show.



The following messages were received from the Senate:

Helena, January 26, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that S. J. R. No. 3, introduced by Scofield, was this day read third time and passed, title agreed to; also S. B. No. 17, introduced by Church, was this day read third time and passed, title agreed to, and the same are herewith transmitted to the House for concurrence.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, January 26, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read first and second times and referred to the standing committees:

H. J. M. No. 1. Irrigation and Water Rights.

H. J. R. No. 2. Education.

H. B. No. 3. Finance and Claims.

H. B. No. 5. Judiciary.

H. B. No. 20. Privileges and Elections.

H. B. No. 24. Banks and Banking.

H. B. No. 25. Privileges and Elections.

H. B. No. 32. Privileges and Elections.

H. B. No. 38. Judiciary.

H. B. No. 44. Judiciary.

H. B. No. 50. Finance and Claims.

H. B. No. 55. Judiciary.

H. B. No. 57. Judiciary.

H. B. No. 65. Judiciary.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, January 26, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Notices were this day given:

By Duncan: "An Act to provide for a budget system for the control of all expenditures of state money and to repeal Sections 294 to 304, inclusive, Revised Codes of Montana, 1921."

By Scofield: "An Act to amend Section 7093 of Chapter 26, Revised Codes of Montana, relating to the appropriation of water."

By Taylor: "An Act to amend Section 10904 and Section 10908 of the Revised Codes of Montana, 1921, relating to unfair discrimination in the purchase price and sales price of commodities."

By McQuitty: "An Act to amend Section 1215, Revised Codes of Montana, 1921, as amended by Chapter 14, Session Laws, 1923, relating to reports to County Superintendents of Schools of valuations of school districts."

By McQuitty: "An Act to amend Section 964, Revised Codes of Montana, 1921, relating to the apportionment of school moneys and school district warrants."

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, January 26, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following bills were this day introduced, read first and second times and referred to the standing committees:

S. B. No. 39, by Page: "An Act providing for carrying out the provisions of Sections 1999 and 2000 of the Revised Codes of Montana of 1921, relating to classification of taxable property, and providing the

duties of the various county and state officers in relation thereto." Taxation Committee.

S. B. No. 40, by McQuitty: "An Act relating to the levying of taxes in joint school districts." Taxation Committee.

S. B. No. 41, by Spencer: "An Act establishing and defining the boundary line between Yellowstone and Carbon counties." New Counties and Divisions Committee.

S. B. No. 42, by Dell: "An Act relating to the borrowing of money, contracting of indebtedness and issuing of bonds by incorporated cities and towns, and repealing Sections 5278, 5279, 5280, 5281, 5282, 5283, 5284, 5285, 5286, 5287 and 5288, Revised Codes of Montana, 1921." Finance and Claims Committee.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, January 26, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee of the Whole, having had under consideration Business on General File, report and recommend as follows:

That S. B. No. 7 do pass.

That S. B. No. 6 do pass.

That consideration of S. B. No. 10 be passed for the day.

That S. B. No. 13 do pass.

That S. B. No. 20 do pass.

That S. B. No. 23 be amended by striking out of line 3 of said Section 2 of the printed bill the words "A corporation," and inserting in lieu thereof the following: "Any corporation organized under the laws of the Territory or State of Montana, whether organized previous to or after the taking effect of the Codes on July 1, 1895," and, as so amended, it do pass.

That S. B. No. 26 be amended in Section 1 in line 5 by inserting after the word "Montana" the words "and who actually resides in and maintains his home in the State of Montana," and, as so amended, it do pass.

That S. B. No. 3 be amended by striking out the enacting clause.

Report adopted.

Respectfully,

J. F. CONE, Secretary of Senate.

### THIRD READING OF HOUSE BILLS

House Bill No. 80, introduced by Rice, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Anderson, Andrus, Beadle, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Caplis, Castles, Clarke, Cusick, Davis, Dellwo, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Flynn, Gordon, Graybill, Green, Hanson, Hardcastle, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kennedy, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Loble, Meagher, Merritt, Moriarty, Morris, Moulton, Mulholland, Murphy, McAfee, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Peterson, Plank, Plumer, Rice, Ruffcorn, Rupert, Ryder, Sales, Schoening, Smith (Lewis and Clark), Steeves, Stoddard, Strange, Throssel, Tinsley, Waite, Walker, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—82.

Noes: Bergstrom.

Absent and not voting: Akofer, Donaldson, Fletcher, Fox, Holton, Kinville, Lemmon, Lincoln, Masters, Miller, Moss, McCarty, Peat, Reed, Shields, Smith (Beaverhead), Troy, Wold. Total—18.

House Bill No. 81, introduced by Rice, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Anderson, Andrus, Beadle, Bergstrom, Besancon, Brandt, Budas, Burns, Campbell, Caplis, Castles, Clarke, Cusick, Davis, Dellwo, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald (Ravalli), Fitzgerald (Silver Bow), Flachsenhar, Flynn, Gordon, Graybill, Green, Hanson, Hardcastle, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kennedy, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Loble, Masters, Meagher, Miller, Moriarty, Morris, Moss, Moulton, Mulholland, Murphy, McCarty, McGrath, Nagle, Nelson, Nelstead, Patterson, Peterson, Plank, Plumer, Rice, Ruffcorn, Rupert, Ryder, Schoening, Smith (Lewis and Clark), Steeves, Stoddard, Strange, Throssel, Tinsley, Waite, Walker, White, Wuerthner, Zeh, Mr. Speaker. Total—81.

Noes: Parkin, Sales, Walton. Total—3.

Absent and not voting: Akofer, Berryman, Donaldson, Fletcher, Fox, Holton, Kinville, Lemmon, Lincoln, Merritt, McAfee, Peat, Reed, Shields, Smith (Beaverhead), Troy, Wold. Total—17.

House Bill No. 82, introduced by Dellwo, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Caplis, Castles, Cusick, Davis, Dellwo, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Flynn, Gordon, Graybill, Green, Hardcastle, Hawley, Hedrick, Higham, Holt, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kennedy, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Masters, Miller, Moriarty, Morris, Moss, Mulholland, Murphy, McAfee, McCarty, McGrath, Nelson, Parkin, Patterson, Peterson, Plank, Rice, Ruffcorn, Sales, Schoening, Steeves, Stoddard, Strange, Throssel, Tinsley, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—72.

Noes: Clarke, Harris, Hoffman, Loble, Meagher, Merritt, Moulton, Nagle, Nelstead, Plumer, Rupert, Ryder, Smith (Lewis and Clark), Waite, Walker. Total—15.

Absent and not voting: Donaldson, Fletcher, Fox, Hanson, Kelly, Kinville, Lemmon, Lincoln, Peat, Reed, Shields, Smith (Beaverhead), Troy, Wold. Total—14.

House Bill No. 83, introduced by Loble, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Caplis, Castles, Clarke, Cusick, Davis, Dellwo, Doran, Duncan, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Flynn, Fox, Gordon, Graybill, Green, Hanson, Hardcastle, Harris, Hawley, Hedrick, Higham, Holt, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kennedy, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Loble, Masters, Meagher, Merritt, Miller, Moriarty, Morris, Moss, Moulton, Mulholland, Murphy, McAfee, McCarty, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Peterson, Plank, Plumer, Rice, Ruffcorn, Rupert, Ryder, Schoening, Smith (Lewis and Clark), Steeves, Stoddard, Strange, Throssel, Tinsley, Waite, Walker, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—87.

Noes: None.

Absent and not voting: Donaldson, Eaton, Fletcher, Hoffman, Kinville, Lemmon, Lincoln, Peat, Reed, Sales, Shields, Smith (Beaverhead), Troy, Wold. Total—14.

House Bill No. 85, introduced by Miller, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Caplis, Castles, Clarke, Cusick, Davis, Dellwo, Duncan, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Flynn, Fox, Gordon, Graybill, Green, Hanson, Hardcastle, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Johnson (Fer-



gus), Johnson (Valley), Keeley, Kelly, Kennedy, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Loble, Masters, Meagher, Merritt, Miller, Moriarty, Morris, Moss, Moulton, Mulholland, Murphy, McAfee, McCarty, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Peterson, Plank, Plumer, Rice, Ruffcorn, Rupert, Ryder, Sales, Schoening, Smith (Lewis and Clark), Steeves, Stoddard, Strange, Throssel, Tinsley, Waite, Walker, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—87.

Noes: None.

Absent and not voting: Donaldson, Doran, Eaton, Fletcher, Joffray, Kinville, Lemmon, Lincoln, Peat, Reed, Shields, Smith (Beaverhead), Troy, Wold. Total—14.

House Bill No. 66, introduced by Flachsenhar, having been read three several times, history and title agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Andrus, Bergstrom, Berryman, Brandt, Budas, Burns, Campbell, Castles, Clarke, Davis, Duncan, Eaton, Fairgrieve, Fitzgarrald, Flachsenhar, Flynn, Gordon, Graybill, Green, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Johnson (Fergus), Johnson (Valley), Keeley, Kennedy, Larson (Cascade), Leavens, Masters, Meagher, Merritt, Morris, Moss, Moulton, McAfee, Nelson, Nelstead, Parkin, Patterson, Peterson, Rice, Ruffcorn, Rupert, Ryder, Sales, Schoening, Smith (Lewis and Clark), Steeves, Strange, Throssel, Waite, Walker, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—63.

Noes: Anderson, Beadle, Besancon, Caplis, Cusick, Dellwo, Fitzgerald, Fox, Hardcastle, Joffray, Kelly, Larsen (Sheridan), Larson (Sheridan), Loble, Miller, Moriarty, Mulholland, Murphy, McCarty, McGrath, Nagle, Plank, Plumer, Stoddard, Tinsley. Total—25.

Absent and not voting: Donaldson, Doran, Fletcher, Hanson, Kinville, Lemmon, Lincoln, Peat, Reed, Shields, Smith (Beaverhead), Troy, Wold. Total—13.

At request of Akofer, there being no objections, House reverted to Order of Business No. 6:

### MOTIONS AND RESOLUTIONS

Moved by Akofer, duly seconded and carried, that House Bill No. 126 be taken from General Orders and be re-referred to Committee on Ways and Means.

Moved by Ruffcorn, duly seconded and carried, that House recess until 1:30 P. M.

### AFTERNOON SESSION

House resumed at 1:30 P. M.

Mr. Speaker in the chair.

### CONSIDERATION OF GENERAL ORDERS

Moved by Ruffcorn, duly seconded and carried, that House now resolve itself into Committee of the Whole for Consideration of General Orders.

Mr. Lemmon in the chair.

Committee arose.

Mr. Speaker in the chair.

Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bills Nos. 89, 23, 52, 49, 92, 110, 111, 112, 122, 124 and 131, and House Joint Memorial No. 2, respectfully report as follows: That

House Bill No. 89 be referred to Judiciary Committee.

House Bill No. 23 be amended as follows:

Section 1. By striking out in line 13 after the figures "1925" the words "and up to April 1st, 1926;" by striking out in line 13, after the

word "interest" the following words: "at the rate of five per cent per annum until called for payment, after which date interest shall cease; and all warrants so registered and endorsed on and after April first, 1926, shall bear interest;" and by striking out in line 16 the words "which date" and inserting in lieu thereof the words "the date of which call."

And that as amended House Bill No. 23 do pass.

House Bill No. 52 be referred to Judiciary Committee with the amendments adopted in the Committee of the Whole and said amendments be incorporated in bill.

House Bill No. 49 be amended as follows:

Section 1. By striking out in line 4 the letter "s" in the word "improvements."

And that as amended House Bill No. 49 do pass.

House Bill No. 92 do pass.

House Bill No. 110 be amended as follows:

Section 1. Inserting in line 1, after words "Section 1" the following: "That Section 9810 of the Revised Codes of Montana of 1921 be and the same is hereby amended to read as follows: Section 9810."

Section 3 be stricken out.

And that as amended House Bill No. 110 do pass.

House Bill No. 111 be amended as follows:

Section 1. Inserting after words "Section 1," line 1, the following: "That Section 9858 of the Revised Codes of Montana of 1921 be and the same is hereby amended to read as follows, "Section 9858;" by inserting in line 3 after the word "which" the word "he."

Section 2. By striking the same, and inserting in lieu thereof the words "Section 2. All Acts and parts of Acts in conflict herewith are hereby repealed."

And that as amended House Bill No. 111 do pass.

House Bill No. 112 be amended as follows:

Section 1. By striking out all of line 1 and inserting between lines 2 and 3 the words "9732, when appeal may be taken. An appeal may be taken."

And that as amended, House Bill No. 112 do pass.

House Bill No. 122 do pass.

House Bill No. 124 do pass.

House Bill No. 131 be referred to Committee on Revenue and Taxation.

House Joint Memorial No. 2, do pass.

LEMMON, Chairman.

On motion of Lemmon, report adopted.

The Printing Committee reported as follows:

Mr. Speaker: We, your Committee on Printing beg leave to report the following bills correctly printed:

House Bills Nos. 96, 98, 106, 107, 137.

FRED W. ZEH, Chairman.

Mr. Speaker announced the members for the committee to look after the sick members and report back to the House regarding their condition as follows: Nelstead of Carter, Plank of Liberty.

There being no objections, House reverted to Order of Business No. 5:

## INTRODUCTION OF BILLS AND MEMORIALS

The following bills were introduced, read first and second times and referred to committees as follows:

House Bill No. 185, introduced by Wuerthner: A Bill for an Act entitled: "An Act prohibiting the removal of fixtures from real estate upon

which there is a subsisting mortgage or lien and fixing the penalty therefor." Referred to Judiciary.

House Bill No. 186, introduced by Fairgrieve: A Bill for an Act entitled: "An Act to amend Section 8339 of the Revised Codes of Montana of 1921, relating to mechanics' liens and providing for the inclusion of coal mines under the provisions relative to mechanics' liens." Referred to Ways and Means.

House Bill No. 187, introduced by Fitzgerald: A Bill for an Act entitled: "An Act permitting trial by jury in all actions and proceedings arising under Section 9698 of the Code of Civil Procedure, Revised Codes of Montana, 1921, Section 9908, Code of Civil Procedure, Revised Codes of Montana, 1921, Section 10944, of the Penal Code of Montana, Revised Codes of Montana, 1921, and in all actions and proceedings relating to contempt when the acts or omissions alleged as and for the basis of contempt were not committed in the immediate view or presence (indirect contempt) of the justice, judge or court." Referred to Judiciary.

House Bill No. 188, introduced by Nelstead: A Bill for an Act entitled: "An Act to amend Section 12223 of the Revised Codes of Montana, 1921, relating to the dismissal of criminal actions." Referred to Judiciary.

There being no objections, House reverted to Order of Business No. 2:

### NOTICES

Authors gave notice that they will on tomorrow or some subsequent day introduce bills as follows:

By Eaton: A Bill for an Act entitled: "An Act to amend Sections 1189 and 1190 of the Revised Codes of Montana, 1921, relating to meetings of state textbook Commission and contracts for supplying textbooks."

By the Ways and Means Committee: A Bill for an Act entitled: "An Act to provide for the support of the government of the State of Montana for the years 1925 and 1926."

By Patterson and Troy: A Bill for an Act entitled: "An Act to amend Section 9427 of the Revised Codes of 1921, relating to property exempt from execution or attachment."

By Meagher: A Bill for an Act entitled: "An Act relating to the redemption of real property from tax sale, by paying the original tax and interest thereon when no assignment of certificate of the tax sale has been made by the county."

By Holt, Ruffcorn, Loble, Ainsworth: A Bill for an Act entitled: "An Act to amend Section 101 of the Revised Codes of Montana of 1921, relating to the comparing of the signatures on initiative and referendum petitions."

Moved by Ruffcorn, duly seconded and carried that House adjourn until 11:00 A. M., Wednesday, January 28, 1925.

R. C. BRICKER, Speaker.

Attest: H. J. FAUST, Chief Clerk.

### TWENTY-FOURTH DAY

House of Representatives,  
Helena, Montana, January 28, 1925.

House met pursuant to adjournment at 11:00 A. M.

Mr. Speaker in the chair.

Prayer by the Chaplain.

On roll call all present except: Fletcher, excused on account of sickness; Joffray, absent.

The Journal Committee reported as follows:



Mr. Speaker: We, your Committee on Journal, have this day examined the Journal for the 23rd Legislative day and found the same correct.

PEARL SMITH, Chairman.

On motion of Smith, report adopted.

The Engrossing Committee reported as follows:

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed:

House Bills Nos. 45, 88, 103, 26, 92, 124.

J. J. BERRYMAN, Chairman.

Mr. Speaker informed the House that Fletcher of Golden Valley has been sick and is still sick in the hospital, and, therefore, the Journal will show him excused for the time he has been absent and until he is better.

### NOTICES

Authors gave notice that they will on tomorrow or some subsequent day introduce bills as follows:

By Hoffman, Bergstrom, Merritt: A Bill for an Act entitled: "An Act to amend Section 9467, of the Revised Codes of Montana of 1921, relating to foreclosure of mortgages and decree of sale of encumbered property and the application of the proceeds of the sale to the payment of costs and expenses and relating to a deficiency judgment, and providing that no deficiency judgments shall be had upon foreclosure and providing an exemption thereto."

By Keeley: A Bill for an Act entitled: "An Act to amend Section 2038 of the Revised Codes of Montana of 1921, relating to traveling expenses of assessors and their deputies."

By Campbell, Zeh, Peat, Besancon: A Bill for an Act entitled: "An Act empowering cities and towns to prohibit by ordinance the introduction, manufacture, transporting, possession and the sale, exchange, giving away, bartering or disposing of ardent spirits or any compound thereof capable of being used as a beverage, or any brandy, whisky, rum, gin, beer, ale, porter, wine or any intoxicating liquor of any kind within such city or town; and empowering such city or town to provide penalties for the violation of the provisions of such ordinance and to provide penalties for the maintaining of common nuisances as defined in Section 11066 of the Revised Codes of 1921; and providing for the prosecution, trial, and punishment of violators of such ordinances in police courts."

By Committee on Agriculture, Hanson, chairman: A Bill for an Act entitled: "An Act to amend Section 6 of Chapter 41 of the Session Laws of the 18th Legislative Assembly of Montana of 1923, relating to the settlement by the Department of Agriculture of the affairs of insolvent warehousemen and others."

By Lincoln and Miller: A Bill for an Act entitled: "An Act appropriating money to reimburse Frank R. Baney, sheriff of Lincoln County, for moneys expended by him in defending an action for damages for alleged false imprisonment occasioned by the arrest of an insane person at the direction of the superintendent of the State Asylum at Warm Springs."

By Loble and Keeley: A Bill for an Act entitled: "An Act to repeal Section 2438 of the Revised Codes of Montana, 1921, relating to license for roller skating rinks and merry-go-rounds."

By Holt: A Bill for an Act entitled: "An Act prescribing the procedure to effect the forfeiture of oil and gas leases."

By Committee on Development and Publicity, Gordon, chairman: A Bill for an Act entitled: "An Act to amend Section 10904 of the Revised Codes of Montana, 1921, relating to unfair discrimination in the purchase price of commodities and products."

## REPORTS OF STANDING COMMITTEES

The following reports were received from Standing Committees:

Helena, January 27, 1925.

Mr. Speaker: We, your Committee on Railroads and Transportation request that you extend the following communication to the Honorable Senate Committee on Railroads and Transportation:

To the Hon. Chairman and Members Senate Committee on Railroads and Transportation:

You are hereby invited to join with the House Committee on Railroads and Transportation in a public hearing to be held in the Grill Room of the Placer Hotel on January 29, 1925, at 7:30 P. M., the bill to be considered House Bill No. 139 by Troy.

Respectfully,

COMMITTEE ON RAILROADS AND TRANSPORTATION,

By HAWLEY, Chairman.

On motion of Clarke, report adopted.

Mr. Speaker: We, your Committee on Insurance, having had under consideration House Bill No. 72, respectfully report as follows: That House Bill No. 73 is still under consideration and ask for an extension of time.

PEAT, Vice Chairman.

On motion of Peat, report adopted.

Mr. Speaker: We, your Committee on Livestock and Public Ranges, having had under consideration House Bill No. 129, introduced by Tinsley, respectfully report as follows: That House Bill No. 129 do not pass:

LEAVENS, Chairman.

On motion of Leavens, report adopted.

Mr. Speaker: We, your Committee on Public Safety, having had under consideration House Bill No. 60, introduced by Loble, respectfully report as follows: That House Bill No. 60 do not pass.

HOLT, Chairman.

On motion of Holt, report adopted.

Mr. Speaker: We, your Committee on Public Safety, having had under consideration House Bill No. 151, introduced by Loble and Keeley, respectfully report as follows: That House Bill No. 181, do not pass.

HOLT, Chairman.

On motion of Holt, report adopted.

Mr. Speaker: We, your Committee on Public Safety, having had under consideration House Bill No. 115, introduced by Loble and Keeley, respectfully report as follows: That House Bill No. 115 do not pass.

HOLT, Chairman.

On motion of Holt, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 160, respectfully report as follows: That House Bill No. 160 be re-referred to the Ways and Means Committee to be considered with the Tax Title bill.

RUFFCORN, Chairman.

On motion of Ruffcorn, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 61, respectfully report as follows: House Bill No. 61 do pass.

RUFFCORN, Chairman.

On motion of Ruffcorn, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having

had under consideration House Bill No. 159, respectfully report as follows: That House Bill No. 159 be re-referred to the Affairs of Cities Committee with the recommendation that they also confer with the Ways and Means committee.

RUFFCORN, Chairman.

On motion of Ruffcorn, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 180, respectfully report that House Bill No. 180 be re-referred to the Affairs of Cities Committee with the recommendation that they also confer with the Ways and Means Committee.

RUFFCORN, Chairman.

On motion of Ruffcorn, report adopted.

Mr. Speaker: We, your Committee on Public Health and Sanitary Affairs, having had under consideration House Bill No. 141, introduced by Loble, respectfully report as follows: That House Bill No. 141 be amended as follows:

To amend Section 3 by striking out in line 7, thereof, the word "coming" and inserting in line 7, after the word "year," the words "beginning June first;" and in line 9, by inserting after the word "renewal," the words "without fee."

And that as amended House Bill No. 141 do pass.

E. M. LARSON, Chairman.

On motion of Larson, report adopted.

Mr. Speaker: We, your Committee on State Institutions, Public Buildings and Grounds, having had under consideration House Bill No. 170, introduced by McCarty, respectfully report as follows: That House Bill No. 170 do not pass.

BERRYMAN, Chairman.

On motion of Berryman, report adopted.

Mr. Speaker: We, your Committee on State Institutions, Public Buildings and Grounds, having had under consideration House Bill No. 169, introduced by McAfee, respectfully report as follows: That House Bill No. 169 do pass.

BERRYMAN, Chairman.

On motion of Berryman, report adopted.

Mr. Speaker: We, your Committee on State Institutions, Public Buildings and Grounds, having had under consideration House Bill No. 149, introduced by Zeh, respectfully report as follows: That House Bill No. 149 do pass.

BERRYMAN, Chairman.

On motion of Berryman, report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Joint Resolution No. 3, by Akofer and Moss, respectfully report as follows: That House Joint Resolution No. 3 do not pass.

TROY, Chairman.

On motion of Troy, report adopted.

#### INTRODUCTION OF BILLS AND MEMORIALS

The following bills were introduced, read first and second times and referred to committees as follows:

House Bill No. 189, introduced by Lincoln and Dellwo: A Bill for an Act entitled: "An Act to amend Section 1622 of the Revised Codes of Montana, 1921, adding one sub-section thereto relating to restriction of traffic on public highways." Referred to Public Safety.

House Bill No. 190, introduced by Lincoln, Patterson, Strange and



Cusick: A Bill for an Act entitled: "An Act amending Section 1783 of the Revised Codes of Montana of 1921, relating to the State Highway Commission and Commissioner, creation, salary, bond and term." Committee on Highways.

House Bill No. 191, introduced by Smith of Beaverhead: A Bill for an Act entitled: "An Act to amend Section 1 of Chapter 49 of the Session Laws of 1923, as amending Section 860 of the Revised Codes of Montana of 1921, relating to refunding fare to students." Committee on Education.

House Bill No. 192, introduced by Sales: A Bill for an Act entitled: "An Act to amend Section 3764 of the Revised Codes of Montana of 1921, defining the boundaries of Gallatin Game Preserve and providing penalties for unlawful hunting and trapping within said preserve; repealing all Acts and parts of Acts in conflict herewith." Committee on Fish and Game.

House Bill No. 193, introduced by Peat, Andrus, Fox, Walker, Shields, Loble and Stoddard: A Bill for an Act entitled: "An Act to amend Section 11180 of the Revised Codes of Montana of 1921, relating to wagers on races at state and county fairs for the purpose of assisting state and county fairs conducting agricultural and livestock exhibits." Fairs and Expositions.

House Bill No. 194, introduced by Holt, Ruffcorn, Loble and Ainsworth: A Bill for an Act entitled: "An Act to amend Section 101 of the Revised Codes of Montana of 1921, relating to the comparing of the signatures on initiative and referendum petitions." Committee on Privileges and Elections.

House Bill No. 195, introduced by Loble and Keeley: A Bill for an Act entitled: "An Act to repeal Section 8697 of the Revised Codes of Montana, 1921, relating to damages incurred in a duel whereby the survivor in a duel must pay all the debts of his dead adversary." Committee on Judiciary.

House Bill No. 196, introduced by Patterson and Troy: A Bill for an Act entitled: "An Act to amend Section 9427 of the Revised Codes of 1921, relating to property exempt from execution or attachment." Committee on Judiciary.

House Bill No. 197, introduced by Ways and Means Committee: A Bill for an Act entitled: "An Act to provide for the support of the government of the State of Montana for the years 1925 and 1926." Committee on Ways and Means.

House Bill No. 198, introduced by Hedrick: A Bill for an Act entitled: "An Act to amend Sections 5149 and 5150, Revised Codes of Montana of 1921, relating to fire districts and the issuing of bonds by such districts." Townships and Counties.

House Bill No. 199, introduced by Hoffman, Bergstrom and Merritt: A Bill for an Act entitled: "An Act to amend Section 9467, Revised Codes of Montana of 1921, relating to foreclosure of mortgages and decree of sale of encumbered property and the application of the proceeds of the sale to the payment of costs and expenses and relating to a deficiency judgment, and providing that no deficiency judgments shall be had upon foreclosure and providing an exemption thereto." Judiciary.

The Printing Committee reported as follows:

Mr. Speaker: We, your Committee on Printing, beg leave to report the following bills correctly printed:

House Bill No. 42.

House Joint Resolution No. 4.

FRED W. ZEH, Chairman.

There being no objections, House reverted to Order of Business No. 2.

## NOTICES

Authors gave notice that they will on tomorrow or some subsequent day introduce bills as follows:

By Committee on Development and Publicity: A Bill for an Act entitled: "An Act to amend Section 10908 of the Revised Codes of Montana, 1921, relating to unfair discrimination in the selling price of commodities and products."

By Hoffman, by request: A Bill for an Act entitled: "An Act to declare the cultivated black currant (*Ribes Nigrum*) and its varieties a public nuisance and to provide for its eradication."

By Nagle and Smith of Lewis and Clark: A Bill for an Act entitled: "An Act to create a new section of the Revised Codes of Montana, 1921, to be known as Section 9428-A, relating to the exemption of juror's fees from execution or attachment."

By James T. Fitzgerald: A Bill for an Act entitled: "An Act to amend Section 8868 of the Code of Civil Procedure, Revised Codes of Montana, 1921, relating to disqualification of judicial officers, by making provision in the affidavit of disqualification designated and specified in paragraph 4 of said section for criminal cases, actions, motions, and proceedings."

## MOTIONS AND RESOLUTIONS

Moved by Graybill, duly seconded and carried, that House Bill No. 98 be taken from General Orders and referred to Committee on Ways and Means.

Moved by Wuerthner, duly seconded and carried, that Mr. Shields of Cascade, who was absent on account of sickness when vote was taken on House Joint Resolution No. 1 regarding child labor amendment, be shown on the Journal as being in favor of House Joint Resolution No. 1.

Moved by Loble, duly seconded and carried, that House Bill No. 88 be taken from Third Reading and referred to Judiciary Committee.

There being no objection, House reverted to Order of Business No. 5.

## INTRODUCTION OF BILLS AND MEMORIALS

The following Senate Bills were introduced, read first and second times by title and history only and referred to committees as follows:

Senate Bill No. 6, introduced by Duncan: A Bill for an Act entitled: "An Act to approve, legalize and adopt as the Laws of Montana the Revised Codes of Montana of 1921, prepared by the Code Commissioner appointed by authority of Chapter 195 of the Laws of the Sixteenth Legislative Assembly of 1919." Referred to Judiciary Committee.

Senate Bill No. 7, introduced by Committee on Finance and Claims: A Bill for an Act entitled: "An Act to amend Section 287, Revised Codes of Montana, 1921, relating to the State Purchasing Department." Referred to Printing Committee.

Senate Bill No. 13, introduced by Dowlin: A Bill for an Act entitled: "An Act to amend Chapter 30 of the Laws of the Eighteenth Legislative Assembly, relating to the publication of the report of the State Examiner, covering the examination of the various county officers." Referred to Judiciary Committee.

Senate Bill No. 20, introduced by Stewart: A Bill for an Act entitled: "An Act to amend Section 9927 of the Revised Codes of Montana of 1921, relating to the dissolution of corporations by the district court." Referred to Judiciary Committee.

Senate Bill No. 23, introduced by Church: A Bill for an Act entitled: "An Act to amend Section 5918 and Section 5926 of the Revised Codes of Montana of 1921, relating to the extension of the term of existence of corporations." Referred to Judiciary Committee.

House Bill No. 200, introduced by Hoffman, by request: A Bill for an Act entitled: "An Act to declare the cultivated black currant (*Ribes Nigrum*) and its varieties a public nuisance and to provide for its eradication." Committee on Horticulture.

House Bill No. 201, introduced by McAfee: A Bill for an Act entitled: "An Act to amend Section 11039 of the Revised Codes of Montana of 1921, relating to the keeping open of certain places on Sunday a misdemeanor." Committee on Public Morals.

House Bills 198 and 200 introduced without one day's notice with consent of the House.

## CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

Moved by Loble that messages from Senate be considered read at length and that the Journal so show.

The following messages were received from the Senate:

Helena, January 27, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following bills were this day read third time and passed, title agreed to, and are herewith transmitted to the House for concurrence:

S. B. No. 6, by Duncan.

S. B. No. 7, by Committee on Finance and Claims.

S. B. No. 13, by Dowlin.

S. B. No. 20, by Stewart.

S. B. No. 23, by Church.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, January 27, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Privileges and Elections recommend that S. B. No. 38, by Watson, do pass. Report adopted.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, January 27, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following bills were this day introduced, read first and second times and referred to the standing committees:

S. B. No. 43, by Duncan: A Bill for an Act entitled: "An Act to provide for a budget system for the control of all expenditures of State money and to repeal Sections 294 to 304, inclusive, Revised Codes of Montana 1921." Referred to Committee on Finance and Claims.

S. B. No. 44, by Pomeroy, Cooper and Pauline: A Bill for an Act entitled: "An Act to establish a State Board of Forestry, defining the powers and duties of such board, providing for the appointment of the members and officers of such board and providing for the enforcement of the rules and regulations made by said board and of the laws relating to the protection and perpetuation of the forests and forest lands of the State of Montana, and to repeal Sections 1833, 1836, 1839, 1841, 1842, 1848, 2763, 2765, 2766, 2767, 2769, 2771, 2772, 2773, 2774, 2775, 2776, 2777, and 4470 of the Revised Codes of Montana, and all other Acts and parts of Acts in conflict herewith." Referred to Committee on Public Lands.

S. B. No. 45, by McQuitty: A Bill for an Act entitled: "An Act to amend Section 1215, Revised Codes of Montana 1921, as amended by Chapter 14, Session Laws of 1923, relating to reports to county superintendents of schools of valuations of school districts." Referred to Committee on Education.

S. B. No. 46, by McQuitty: A Bill for an Act entitled: "An Act to amend Section 964, Revised Codes of Montana 1921, relating to the apportionment of school moneys and school district warrants." Referred to Committee on Education.



S. J. R. No. 4, by Scofield: "A Resolution by the Senate and the House of Representatives of the Nineteenth Legislative Assembly of the State of Montana, calling upon the Congress of the United States to accelerate the passage of the Gooding Bill (Senate 2327, Sixty-eighth Congress, First Session) to prohibit railroads from charging a higher rate for a shorter than for a longer haul over the same line and in the same direction." Railroads and Transportation.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, January 27, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Notices were this day given:

By Greenup: "An Act to provide for the submission to the qualified electors of the State of Montana an amendment to Article XII of the Constitution of the State of Montana, relating to revenue and taxation by adding a new section thereto providing for the levying of taxes for the purpose of insuring growing crops against loss or damage by hail."

By Kane: "An Act relating to irrigation districts, authorizing and empowering irrigation districts and the commissioners thereof to purchase lands sold for delinquent taxes, whenever taxes or assessments of such irrigation districts form all or a part of the taxes for which said lands are sold; to purchase and take assignment of certificates of tax sales of said lands bid in by the county for delinquent taxes, being in whole or in part taxes or assessments of such irrigation districts; to take title to the lands so sold for taxes in case they are not redeemed, as provided by law; to purchase such lands from the county, when tax deeds therefor have issued to the county, to lease, operate, sell and dispose of the same as may seem for the best interest of such district and to commence, maintain and prosecute suits to quiet title as to the lands so purchased; and relating to the period of redemption and the issuance of tax deed of property in such irrigation districts, repealing all Acts or parts of Acts in conflict herewith."

By Conser: "An Act to amend Section 3914 relating to the Montana Trade Commission and repealing Sections 3916, 3938 and 3946 of Chapter 261 of the Revised Codes of Montana of 1921, and repealing all Acts and parts of Acts in conflict herewith."

By Tower: "An Act to authorize the use of seines and other nets in Flathead lake by licensed commercial fishermen, and providing that the Fish and Game Commission may license such fishermen and make rules and regulations for their operations and designate what varieties of fish they may catch in nets and sell."

Respectfully,

J. F. CONE, Secretary of Senate.

There being no objections, House reverted to Order of Business No. 6.

### MOTIONS AND RESOLUTIONS

Moved by Peat, duly seconded and carried, that the members of the Nineteenth Legislative Assembly permit no lobbying for any bills on the floor of the House while in sessions.

### THIRD READING OF HOUSE BILLS

House Bill No. 26, by Wuerthner, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Caplis, Castles, Clarke, Cusick, Davis, Dellwo, Doran, Duncan, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Flynn, Gordon, Graybill, Green, Hanson, Hardcastle, Harris, Hawley, Higham, Hoffman, Holt, Joffray, Johnson (Fergus), Johnson (Val-

ley), Kelly, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lemmon, Lincoln, Loble, Masters, Merritt, Miller, Moriarty, Morris, Moss, Moulton, Murphy, McAfee, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Ruffcorn, Rupert, Ryder, Sales, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Strange, Throssel, Tinsley, Troy, Waite, Walker, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—85.

Noes: Campbell, Holton, Keeley, Meagher, Mulholland, Stoddard. Total—6.

Absent and not voting: Donaldson, Eaton, Fletcher, Fox, Hedrick, McCarty, Plumer, Reed, Rice, Wold. Total—10.

House Bill No. 45, by Ainsworth, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Caplis, Castles, Clarke, Cusick, Davis, Dellwo, Doran, Duncan, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Flynn, Gordon, Graybill, Green, Hanson, Hardcastle, Harris, Hawley, Hedrick, Higham, Holt, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lemmon, Lincoln, Loble, Masters, Meagher, Merritt, Miller, Moriarty, Morris, Moss, Moulton, Mulholland, Murphy, McAfee, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Rice, Ruffcorn, Rupert, Ryder, Sales, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Throssel, Tinsley, Troy, Waite, Walker, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—91.

Noes: None.

Absent and not voting: Donaldson, Eaton, Fletcher, Fox, Hoffman, McCarty, Plumer, Reed, Strange, Wold. Total—10.

House Bill No. 92, by Graybill, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Castles, Clarke, Cusick, Davis, Dellwo, Doran, Duncan, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Flynn, Fox, Gordon, Graybill, Green, Hanson, Hardcastle, Harris, Hawley, Higham, Hoffman, Holt, Joffray, Johnson (Fergus), Keeley, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lemmon, Lincoln, Loble, Masters, Meagher, Merritt, Miller, Moriarty, Morris, Moulton, Mulholland, Murphy, McCarty, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Rice, Ruffcorn, Rupert, Ryder, Sales, Schoening, Shields, Smith (Lewis and Clark), Steeves, Stoddard, Throssel, Tinsley, Troy, Waite, Walker, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—84.

Noes: Holton, Johnson (Valley), Kennedy, McAfee, Smith (Beaverhead). Total—5.

Absent and not voting: Caplis, Donaldson, Eaton, Fletcher, Hedrick, Kelly, Moss, Plumer, Reed, Strange, Wold. Total—11.

House Bill No. 103, by Loble and Keeley, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Castles, Clarke, Cusick, Dellwo, Doran, Duncan, Fairgrieve, Fitzgerald, Flachsenhar, Flynn, Gordon, Graybill, Green, Hanson, Hardcastle, Harris, Hawley, Higham, Hoffman, Holt, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lemmon, Lincoln, Loble, Masters, Meagher, Merritt, Miller, Moriarty, Morris, Moss, Moulton, Mulholland, Murphy, McAfee, McCarty, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Rice, Ruffcorn, Rupert, Ryder, Sales, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Strange,



Throssel, Tinsley, Troy, Waite, Walker, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—88.

Noes: None.

Absent and not voting: Burns, Campbell, Caplis, Davis, Donaldson, Eaton, Fitzgarrald, Fletcher, Fox, Hedrick, Plumer, Reed, Wold. Total—13.

House Bill No. 124, by Appropriations Committee, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Brandt, Budas, Clarke, Cusick, Davis, Dellwo, Doran, Duncan, Fairgrieve, Fitzgerald, Flachsenhar, Flynn, Fox, Gordon, Graybill, Green, Hanson, Hardcastle, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lemmon, Lincoln, Loble, Masters, Merritt, Miller, Moriarty, Morris, Moss, Moulton, Mulholland, Murphy, McAfee, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Rice, Ruffcorn, Rupert, Ryder, Sales, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Tinsley, Troy, Waite, Walker, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—86.

Noes: None.

Absent and not voting: Besancon, Burns, Campbell, Caplis, Castles, Donaldson, Eaton, Fitzgarrald, Fletcher, Meagher, McCarty, Plumer, Reed, Shields, Wold. Total—15.

Moved by Ruffcorn, duly seconded and carried, that House recess until 2:00 P. M.

#### AFTERNOON SESSION

House resumed at 2:00 P. M.

Mr. Speaker in the chair.

#### REPORT OF STANDING COMMITTEES

The Committee on Military Affairs reported as follows:

Mr. Speaker: We, your Committee on Military Affairs, having had under consideration House Bill No. 182, respectfully report as follows: That House Bill No. 182 be referred to Appropriations Committee.

WHITE, Chairman.

On motion of White, report adopted.

#### CONSIDERATION OF GENERAL ORDERS

Moved by Ruffcorn, duly seconded and carried, that House now resolve itself into Committee of the Whole for consideration of General Orders, and that debate be limited to ten minutes to each person on each question.

Mr. Moss in the chair.

Committee arose.

Speaker Pro Tem in the chair.

The Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration House Memorial No. 1, House Bills Nos. 29, 91, 36, 93, and Substitute House Bill No. 72, respectfully report as follows:

That House Memorial No. 1 be amended as follows:

Title. By striking out "Ratify the protocol calling for an" and inserting in lieu thereof the words "Authorize the participation of the United States in the."

Section 1. By striking out in line 15 first word "and," and that, as amended, House Memorial No. 1 do pass.



That House Bill No. 29 be referred to Committee on Irrigation and Water Rights.

That House Bill No. 91 do pass.

That House Bill No. 36 be amended as follows:

Section 1. By striking out in line 6 the word "ten" and inserting in lieu thereof the words "seventeen and one-half"; by inserting in line 3 the word and figures "Section 3384."

and that, as amended, House Bill No. 36 do pass.

That House Bill No. 93 be amended as follows:

Section 1. By inserting in line 3 the following: "Section 632," and that, as amended, House Bill No. 93 do pass.

That House Bill No. 72 be re-referred to Committee on Insurance.

MOSS, Chairman.

On motion of Moss, report adopted.

There being no objections, House reverted to Order of Business No. 5.

### INTRODUCTION OF BILLS AND MEMORIALS

The following bills were read first and second times by title only and referred to committees as follows:

House Bill No. 202, by Ruffcorn, Holt, Johnson and Loble: A Bill for an Act entitled: "An Act to amend Section 2238, Revised Codes of Montana, 1921, as amended by Chapter 102, Session Laws, 1923, relating to the collection of personal property taxes." Referred to Committee on Privileges and Elections.

House Bill No. 203, by Caplis and Kinville: A Bill for an Act entitled: "An Act to authorize and provide for the consolidation and merging of the corporate existence and government of the County of Silver Bow and all cities and towns therein into one municipal corporation and government under the corporate name 'City and County of Butte,' defining the powers thereof and providing a commission-mayor plan of government therefor." Referred to Committee on Affairs of Cities.

The Printing Committee reported as follows:

Mr. Speaker: We, your Committee on Printing, beg leave to report the following bills correctly printed:

House Bills Nos. 154, 118 and 117.

FRED W. ZEH, Chairman.

There being no objections, House reverted to Order of Business No. 2.

### NOTICES

Authors gave notice that they will on tomorrow or some subsequent day introduce bills as follows:

By Committee on Banks and Banking: A Bill for an Act entitled: "An Act to amend Sub-Section 6109e of Section 4, Chapter 90, of the Laws of 1923, relating to banks going into voluntary liquidation."

By Committee on Banks and Banking: A Bill for an Act entitled: "An Act to amend Sub-Section 6109d of Section 4, Chapter 90, of the Laws of 1923, relating to the assessment on the capital stock of banks to make good their impairment."

By Committee on Banks and Banking: A Bill for an Act entitled: "An Act to amend Sub-Section 6109a of Section 4, Chapter 90, of the Laws of 1923, relating to the power of the Superintendent of Banks to prescribe rules and regulations for the administration of the banking laws of Montana."

By Donaldson: "A Bill for an Act entitled: "An Act to amend Section 5216 of the Revised Codes of Montana of 1921, relating to the annual tax levy of cities and towns."

By Eaton: A Bill for an Act entitled: "An Act prescribing the qualifications of County Superintendents of Schools and fixing their salaries and repealing Sections 4869, 4870 and 4871 of the Revised Codes of Montana."

By Robert Larson, James T. Fitzgerald, T. J. Troy, A. T. Larson: A Bill for an Act entitled: "An Act to repeal Sections 10737, 10738 and 10739 of Chapter 4 of the Penal Code, Revised Codes of Montana, 1921."

### REPORTS OF STANDING COMMITTEES

The following reports were received from standing committees:

Mr. Speaker: We, your Committee on Banks and Banking, having had under consideration House Bill No. 10, introduced by Besancon and Mulholland, respectfully report as follows: That House Bill No. 10 do not pass.

ALBERT JOHNSON, Chairman.

On motion of Johnson of Fergus, report adopted.

Mr. Speaker: We, your Committee on Banks and Banking, having had under consideration House Bill No. 11, introduced by Besancon, respectfully report as follows: That House Bill No. 11 do not pass.

ALBERT JOHNSON, Chairman.

On motion of Johnson of Fergus, report adopted.

Mr. Speaker: We, your Committee on Banks and Banking, having had under consideration House Bill No. 19, introduced by Besancon, respectfully report as follows: That House Bill No. 19 do not pass.

ALBERT JOHNSON, Chairman.

On motion of Johnson of Fergus, report adopted.

Mr. Speaker: We, your Committee on Banks and Banking, having had under consideration House Bill No. 21, introduced by Zeh, respectfully report as follows: That House Bill No. 21 do not pass.

ALBERT JOHNSON, Chairman.

On motion of Johnson of Fergus, report adopted.

Mr. Speaker: We, your Committee on Banks and Banking, having had under consideration House Bill No. 120, introduced by McCarty, respectfully report as follows: That House Bill No. 120 do not pass.

ALBERT JOHNSON, Chairman.

On motion of Johnson of Fergus, report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 133, introduced by Loble, respectfully report as follows: That House Bill No. 133 do pass.

CLARKE, Chairman.

On motion of Clarke, report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 171, introduced by Duncan, respectfully report as follows: That said House Bill No. 171 be amended by inserting the words "in its discretion" after the word "may" in the fifth line from the bottom of page 1, and we recommend that said bill do pass as amended.

CLARKE, Chairman.

On motion of Clarke, report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 173, introduced by Duncan, respectfully report as follows: That said House Bill No. 173 do pass.

CLARKE, Chairman.

On motion of Clarke, report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 159, introduced by Duncan, respectfully report as follows: That said House Bill No. 159 be referred to Ways and Means Committee.

CLARKE, Chairman.

On motion of Clarke, report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 180, introduced by Duncan, respectfully report as follows: That said House Bill No. 180 do pass.

CLARKE, Chairman.

On motion of Clarke, report adopted.

Moved by Ruffcorn, duly seconded and carried, that House adjourn until 10:00 A. M., Thursday, January 29, 1925.

R. C. BRICKER, Speaker.

Attest: H. J. FAUST, Chief Clerk.

## TWENTY-FIFTH DAY

House of Representatives,  
Helena, Montana, January 29, 1925.

House met pursuant to adjournment at 10:00 A. M.

Mr. Speaker in the chair.

Prayer by the Chaplain.

On roll call all present except Fletcher, excused on account of sickness.

The Journal Committee reported as follows:

Mr. Speaker: We, your Committee on Journal, have this day examined the Journal for the 24th Legislative day and found the same correct.

PARKIN, Vice Chairman.

On motion of Parkin, report adopted.

The Committee on Engrossing reported as follows:

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed:

House Bills Nos. 111, 23, 112, 110, 49, 122, 64 and House Joint Memorial No. 2.

BERRYMAN, Chairman.

## NOTICES

Authors gave notice that they will on tomorrow or some subsequent day introduce bills as follows:

By Committee on Townships and Counties, Donaldson, Chairman: A Bill for an Act entitled: "An Act to amend Section 1215 of the Revised Codes of Montana of 1921, as amended by Chapter 14 of the Laws of the Eighteenth Legislative Assembly, relating to the time county assessor to report the valuation of school districts."

By Robert Larson: A Bill for an Act entitled: "An Act requiring each deed or other conveyance of real property in this state to contain the name and last known address of the grantee."

By Besancon: A Bill for an Act entitled: "An Act to amend Section 6021 of the Montana Revised Codes of 1921, relating to the incorporation of banks and duties of the Superintendent of Banks."

By Keeley: A Bill for an Act entitled: "An Act to prohibit wilful sheep trespasses and providing penalties therefor."

By Gordon: A Bill for an Act entitled: "An Act to amend Sections



7280, 7282, 7283 and 7284, Revised Codes of Montana, 1921, and to add four new sections thereto, to be designated as Sections 7283A, 7283B, 7283C and 7283D, all relating to drainage districts."

### REPORTS OF STANDING COMMITTEES

The following reports were received from standing committees:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 132, introduced by Loble and Keeley, respectfully report as follows: That House Bill No. 132 do not pass.

BURNS, Chairman.

On motion of Burns, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 195, introduced by Loble and Keeley, respectfully report as follows: That House Bill No. 195 do not pass.

BURNS, Chairman.

On motion of Burns, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 162, introduced by Smith of Lewis and Clark, respectfully report as follows: That House Bill No. 162 do not pass.

BURNS, Chairman.

On motion of Burns, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 188, introduced by Nelstead, respectfully report as follows: That House Bill No. 188 do not pass.

BURNS, Chairman.

On motion of Burns, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 165, introduced by Ruffcorn, Besancon, Johnson of Valley, Burns and Brandt, respectfully report as follows: That House Bill No. 165 do pass.

BURNS, Chairman.

On motion of Burns, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 153, introduced by Smith of Lewis and Clark, respectfully report as follows: That House Bill No. 153 do pass.

BURNS, Chairman.

On motion of Burns, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 69, introduced by Ainsworth, respectfully report as follows: That House Bill No. 69 do pass.

BURNS, Chairman.

On motion of Burns, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 6, introduced by Fox, Parkin and McCarty, respectfully report as follows: That on House Bill No. 6 the title thereof be amended as follows:

By striking out the comma after the word "possession" in the second line and there inserting the word "or." By inserting the words "also the" before the word "sale" in the third line thereof and by writing the words "to the persons named" after the word "disposition" in the third line of such title, and that as above amended, we recommend that the bill do pass.

BURNS, Chairman.

On motion of Burns, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under

consideration House Bill No. 163, introduced by Strange and Fitzgerald, respectfully report as follows: That House Bill No. 163 be amended as follows:

By amending the title by striking out "7141," and by inserting after "1921" the following: "and by adding a new section known as Section 7159A."

By amending the bill by striking out Section 3 and 10 thereof, by re-numbering Sections 4, 5, 6, 7, and 8, to read Sections 3, 4, 5, 6, and 7, and by adding a new section as follows:

Section 9. That a new section be added to be known as Section 7159A and that the same read as follows:

"Nothing in this chapter shall be construed so as to impair the obligations of any mortgage, judgment or other lien now of record."

And as amended bill do pass.

BURNS Chairman.

On motion of Burns, report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 126 by Akofer, respectfully report as follows: That House Bill No. 126 be amended as follows: Omit all of lines 4, 5, 6, 7, and 8 and insert instead "The State Board of Examiners is hereby empowered to invest any moneys available in the following funds: Escheated Estates fund, Educational Bond, Interest and Sinking fund, and the Fish and Game fund, in the hands of the State Treasurer, in State General Fund Warrants," and when so amended the bill do pass.

TROY, Chairman.

On motion of Troy, report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 101, by Nelstead, respectfully report as follows: That House Bill No. 101 be re-referred to the Committee on Highways.

TROY, Chairman.

On motion of Troy, report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 146, by A. T. Larson, respectfully report as follows: That House Bill No. 146 do pass.

TROY, Chairman.

On motion of Troy, report adopted.

There being no objections House reverted to Order of Business No. 2:

## NOTICES

Authors gave notice that they will on tomorrow or some subsequent day introduce bills as follows:

By Beadle: A Bill for an Act entitled: "An Act to amend Sections 3156, 3157, 3158, 3159, 3166, 3167 and 3190 of the Revised Codes of the State of Montana of 1921, relating to the regulation of the practice of optometry and to prevent ignorant, unprofessional or incompetent persons from practicing same."

By Fitzgerald and Strange: A Bill for an Act entitled: "An Act to repeal Section 3320, Revised Codes of Montana of 1921, relating to fees of officers making inspection of horses."

## INTRODUCTION OF BILLS AND MEMORIALS

The following bills were read first and second times by title only and referred to committees as follows:

House Bill No. 204, introduced by Donaldson: A Bill for an Act entitled: "An Act to amend Section 5216 of the Revised Codes of Montana of

1921, relating to the annual tax levy of cities and towns." Referred to Committee on Affairs of Cities.

House Bill No. 205, introduced by Campbell, Zeh, Peat, and Besancon: A Bill for an Act entitled: "An Act empowering cities and towns to prohibit by ordinance the introduction, manufacture, transporting, possession and the sale, exchange, giving away, bartering or disposing of ardent spirits or any compound thereof capable of being used as a beverage, or any brandy, whisky, rum, gin, beer, ale, porter, wine, or any intoxicating liquor of any kind within such city or town; empowering such city or town to provide penalties for the violation of the provisions of such ordinance and to provide penalties for the maintaining of common nuisances as defined in Section 11066 of the Revised Codes of 1921; and providing for the prosecution, trial, and punishment of violators of such ordinances in police courts." Referred to Committee on Affairs of Cities.

House Bill No. 206, introduced by Lincoln and Miller: A Bill for an Act entitled: "An Act appropriating money to reimburse Frank R. Baney, sheriff of Lincoln county, for moneys expended by him in defending an action for damages for alleged false imprisonment occasioned by the arrest of an insane person at the direction of the superintendent of the State Asylum at Warm Springs." Referred to Appropriations Committee.

House Bill No. 207, introduced by Larson, Fitzgerald, Troy and Larsen (Sheridan): A Bill for an Act entitled: "An Act to repeal Sections 10737, 10738 and 10739 of Chapter 4, of the Penal Code, Revised Codes of Montana, 1921." Referred to Judiciary Committee.

House Bill No. 208, introduced by Committee on Agriculture: A Bill for an Act entitled: "An Act to amend Section 6 of Chapter 41 of the Session Laws of the Eighteenth Legislative Assembly of Montana of 1923, relating to the settlement by the Department of Agriculture of the affairs of insolvent warehousemen and others." Referred to Committee on Agriculture.

House Bill No. 209, introduced by Development and Publicity Committee: A Bill for an Act entitled: "An Act to amend Section 10904, R. C. M. 1921, relating to unfair discrimination in the purchase price of commodities and products." Referred to Committee on Development and Publicity.

House Bill No. 210, introduced by Committee on Publicity and Development: A Bill for an Act entitled: "An Act to amend Section 10908 R. C. M. 1921, relating to unfair discrimination in the selling price of commodities and products." Referred to Committee on Development and Publicity.

House Bill No. 211, introduced by Keeley: A Bill for an Act entitled: "An Act to amend Section 2038 of the Revised Codes of Montana of 1921 relating to traveling expenses of assessors and their deputies." Referred to Committee on Townships and Counties.

## CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

Moved by Ruffcorn, duly seconded and carried, that messages from Senate be considered read at length and the Journal so show.

The following messages were received from the Senate:

Helena, Montana, January 28, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Finance and Claims, having had under consideration House Bill No. 50, report that same be not concurred in.

Report adopted and H. B. No. 50, is herewith transmitted to the House. Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, January 28, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Judiciary have this day made the following reports:

That H. B. No. 5, by Beadle, be not concurred in.



That H. B. No. 38, by Wuerthner, be not concurred in.

That H. B. No. 65, by Graybill, be not concurred in.

Reports were adopted and House Bills No. 5, No. 38 and No. 65 are herewith transmitted to the House.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, January 28, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day introduced, read first and second times and referred to the Standing Committees:

H. B. No. 80—Committee on Counties and Towns.

H. B. No. 81—Committee on Finance and Claims.

H. B. No. 82—Committee on Agriculture.

H. B. No. 83—Committee on Judiciary.

H. B. No. 85—Committee on Fish and Game.

H. B. No. 66—Committee on Elections and Privileges.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, January 28, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Irrigation report and recommend that House Joint Memorial No. 1 be concurred in. Report adopted.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, January 28, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Finance and Claims report that H. B. No. 3 be amended as follows:

By striking out the words "within the State" in line 25 of the original bill and inserting in lieu thereof the words "at the seat of government of the State of Montana" and by further amending said bill by striking out the period at the end of Section 3 of the original bill and inserting in lieu thereof a semicolon and by adding the following words after said semicolon "provided that no such contract shall be let at a price greater than Two Thousand Dollars (\$2,000)."

And, as amended, committee report adopted.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, January 28, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Notices were this day given:

By Clark: "An Act to submit to the electors of Montana at the General Election in 1926 the question as to whether or no the Legislative Assembly shall ratify a resolution upon the 20th amendment to the Constitution of the United States concerning child labor."

By Livestock and Grazing Committee: "An Act to provide for the prevention of the introduction and spread of disease among livestock, including poultry, dogs and other animals; authorizing the governor to issue a proclamation designating the territory in which such disease may exist and forbidding the importation therefrom, except under certain restrictions, or any such livestock, poultry, dogs or other animals, and of any article or commodity likely to convey such disease and prescribing penalties for the disobedience of such proclamation."

By Livestock and Grazing Committee: "An Act making it unlawful for any owner or person having the management or control of a stallion, ridgeling, unaltered male mule, or jackass, over the age of one year, to

permit or suffer it to run at large on the open range; defining open range; declaring such animal so running at large a public nuisance; prescribing penalties for violations of this Act; providing that such owner or person having management or control shall be liable for all injuries caused by such running at large; providing for the proceedings and notices necessary to be taken and given for the castration and disposal of such animals; and repealing Sections 3396, 3397, 3398, 3399 and 3400 of the Revised Codes of Montana of 1921."

By Speer: "An Act relating to irrigation districts and empowering the State Land Board to consent to the inclusion of State Lands therein; to sign petitions for issuance of bonds of such districts, and to sign petitions for contracts with the United States in relation thereto."

By Church: "An Act to amend Section 6269 of the Revised Codes of Montana, 1921, relating to the investment of funds of life insurance companies."

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, January 28, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following bills were this day introduced, read first and second time and referred to the Standing Committees:

S. B. No. 47, by Kane: "An Act relating to irrigation districts, authorizing and empowering irrigation districts and the commissioners thereof to purchase lands sold for delinquent taxes whenever taxes or assessments of such irrigation districts form all or a part of the taxes for which said lands are sold; to purchase and take assignment of certificates of tax sales of said lands bid in by the county for delinquent taxes, being in whole or in part taxes or assessments or such irrigation districts; to take title to the lands so sold for taxes in case they are not redeemed, as provided by law; to purchase such lands from the county, when tax deeds therefor have issued to the county; to lease, operate, sell and dispose of the same as may seem for the best interest of such district; and to commence, maintain and prosecute suits to quiet title as to the lands so purchased; and relating to the period of redemption and the issuance of tax deed of property in such irrigation district repealing all Acts or parts of Acts in conflict herewith." Referred to Irrigation Committee.

S. B. No. 48, by Tower: "An Act to authorize the use of seines and other nets in Flathead Lake by licensed commercial fishermen, and providing that the Fish and Game Commission may license such fishermen and make rules and regulations for their operations and designate what varieties of fish they may catch in nets and sell." Fish and Game Committee.

S. B. No. 49, by Conser: "An Act to amend Section 3914 of the Revised Codes of the State of Montana of 1921, and repealing Sections 3916, 3938 and 3946 of the Revised Codes of the State of Montana of 1921 and all Acts and parts of Acts in conflict herewith." Agriculture Committee.

S. J. R. No. 5, by Livestock and Grazing Committee: Relating to grazing. Referred to Committee on Printing.

Respectfully,

J. F. CONE, Secretary of Senate.

The Printing Committee reported as follows:

Mr. Speaker: We, your Committee on Printing, beg leave to report the following bill correctly printed.

House Bill No. 61.

FRED W. ZEH, Chairman.

### THIRD READING OF HOUSE BILLS

House Bill No. 23, introduced by Ruffcorn, Loble, Hanson, Davis, Hol-

ton, Bergstrom, Leavens, and Johnson of Fergus, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Beadle, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Castles, Clarke, Cusick, Davis, Dellwo, Donaldson, Duncan, Fairgrieve, Flachsenhar, Flynn, Gordon, Green, Hanson, Harris, Hawley, Higham, Holt, Holton, Joffray, Johnson (Fergus), Keeley, Kelly, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Masters, Meagher, Merritt, Moriarity, Morris, Moss, Moulton, Mulholland, Murphy, McAfee, McCarty, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Reed, Rice, Ruffcorn, Ryder, Sales, Schoening, Shields, Steeves, Stoddard, Throssel, Tinsley, Troy, Waite, White, Wold, Wuerthner, Zeh, Mr. Speaker. Total—78.

Noes: None.

Absent and not voting: Andrus, Bergstrom, Caplis, Doran, Eaton, Fitzgarrald, Fitzgerald, Fletcher, Fox, Graybill, Hardcastle, Hedrick, Hoffman, Johnson (Valley), Lemmon, Loble, Miller, Rupert, Smith, (Lewis and Clark), Smith (Beaverhead), Strange, Walker, Walton. Total—23.

House Bill No. 49, introduced by Duncan, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Beadle, Bergstrom, Berryman, Besancon, Budas, Burns, Campbell, Castles, Clarke, Cusick, Davis, Dellwo, Donaldson, Duncan, Fairgrieve, Flachsenhar, Flynn, Gordon, Graybill, Green, Hanson, Harris, Hawley, Higham, Hoffman, Holt, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lemmon, Lincoln, Masters, Meagher, Merritt, Moriarity, Morris, Moss, Moulton, Mulholland, Murphy, McAfee, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Reed, Rice, Ruffcorn, Ryder, Sales, Schoening, Shields, Smith (Lewis and Clark), Steeves, Stoddard, Throssel, Tinsley, Troy, Waite, Walker, Walton, White, Wold, Wuerthner, Zeh, Mr. Speaker. Total—84.

Noes: None.

Absent and not voting: Andrus, Brandt, Caplis, Doran, Eaton, Fitzgarrald, Fitzgerald, Fletcher, Fox, Hardcastle, Hedrick, Loble, Miller, McCarty, Rupert, Smith (Beaverhead), Strange. Total—17.

House Bill No. 64, introduced by Brandt and Nelson, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Castles, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgerald, Flachsenhar, Flynn, Fox, Gordon, Graybill, Hanson, Hardcastle, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Joffray, Johnson (Fergus), Keeley, Kelly, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lemmon, Lincoln, Masters, Meagher, Merritt, Miller, Moriarity, Morris, Moss, Mulholland, Murphy, McAfee, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Reed, Rice, Ruffcorn, Ryder, Sales, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Throssel, Tinsley, Troy, Waite, Walker, Walton, White, Wold, Wuerthner, Zeh, Mr. Speaker. Total—91.

Noes: None.

Absent and not voting: Caplis, Fitzgarrald, Fletcher, Green, Johnson (Valley), Loble, Moulton, McCarty, Rupert, Strange. Total—10.

House Bill No. 110, introduced by Fletcher, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Castles, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgerald, Flachsenhar, Flynn, Gordon, Graybill, Green, Harris, Hawley,



Hedrick, Higham, Hoffman, Holt, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lemmon, Lincoln, Loble, Masters, Meagher, Merritt, Miller, Moriarity, Morris, Moss, Moulton, Mulholland, Murphy, McAfee, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Reed, Rice, Ruffcorn, Rupert, Ryder, Sales, Schoening, Shields, Smith (Lewis and Clarke), Steeves, Stoddard, Strange, Throssel, Troy, Waite, Walker, Walton, White, Wold, Wuerthner, Zeh, Mr. Speaker. Total—91.

Noes: Plumer, Tinsley. Total—2.

Absent and not voting: Caplis, Fitzgarrald, Fletcher, Fox, Hanson, Hardcastle, McCarty, Smith (Beaverhead). Total—8.

House Bill No. 111, introduced by Burns, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Castles, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Eaton, Fairgrieve, Fitzgerald, Flachsenhar, Flynn, Gordon, Graybill, Green, Hardcastle, Harris, Hawley, Hedrick, Higham, Holt, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lemmon, Lincoln, Loble, Masters, Meagher, Merritt, Miller, Moriarity, Morris, Moss, Moulton, Mulholland, Murphy, McAfee, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Peterson, Plank, Reed, Rice, Ruffcorn, Rupert, Ryder, Schoening, Shields, Smith (Lewis and Clark), Steeves, Stoddard, Strange, Throssel, Troy, Waite, Walton, White, Wold, Wuerthner, Zeh, Mr. Speaker. Total—87.

Noes: Plumer, Tinsley. Total—2.

Absent and not voting: Caplis, Duncan, Fitzgarrald, Fletcher, Fox, Hanson, Hoffman, McCarty, Peat, Sales, Smith (Beaverhead), Walker. Total—12.

House Bill No. 112, introduced by Loble, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Beadle, Bergstrom, Besancon, Brandt, Budas, Burns, Campbell, Castles, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Flynn, Gordon, Graybill, Hanson, Hardcastle, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lemmon, Lincoln, Loble, Masters, Meagher, Merritt, Miller, Moriarity, Morris, Moss, Moulton, Mulholland, Murphy, McAfee, McCarty, McGrath, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Rice, Ruffcorn, Rupert, Ryder, Sales, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Tinsley, Troy, Waite, Walton, White, Wold, Wuerthner, Zeh, Mr. Speaker. Total—91.

Noes: None.

Absent and not voting: Andrus, Berryman, Caplis, Duncan, Fletcher, Fox, Green, Nagle, Reed, Walker. Total—10.

House Bill No. 122, introduced by Smith and Nagle, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Castles, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Flynn, Fox, Gordon, Graybill, Green, Hanson, Hardcastle, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lemmon, Lincoln, Masters, Meagher, Merritt, Miller, Moriarity, Morris, Moulton, Mulholland, Murphy, McCarty, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Rice, Ruff-

corn, Rupert, Ryder, Sales, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Tinsley, Troy, Waite, Walker, Walton, White, Wold, Wuerthner, Zeh, Mr. Speaker. Total—95.

Noes: None.

Absent and not voting: Caplis, Fletcher, Loble, Moss, McAfee, Reed. Total—6.

House Joint Memorial No. 2, by McCarty, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Castles, Clarke, Cusick, Davis, Donaldson, Doran, Duncan, Eaton, Fitzgarrald, Flynn, Gordon, Graybill, Green, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Kennedy, Larsen (Sheridan), Leavens, Lemmon, Lincoln, Loble, Masters, Meagher, Miller, Moriarity, Morris, Moss, Murphy, McCarty, McGrath, Nagle, Nelson, Nelstead, Peterson, Plank, Ruffcorn, Schoening, Shields, Smith (Lewis and Clark), Steeves, Stoddard, Strange, Throssel, Waite, Walker, Walton, Wold, Wuerthner, Zeh, Mr. Speaker. Total—63.

Noes: Beadle, Dellwo, Fairgrieve, Fitzgerald, Fox, Hanson, Hardcastle, Keeley, Kelly, Kinville, Larson (Cascade), Larson (Sheridan), Merritt, Moulton, Mulholland, McAfee, Parkin, Patterson, Peat, Plumer, Rice, Rupert, Ryder, Sales, Smith (Beaverhead), Tinsley, Troy, White. Total—28.

Absent and not voting: Andrus, Caplis, Flachsenhar, Fletcher, Reed. Total—5.

There being no objections House reverted to Order of Business No. 4:

#### REPORTS OF STANDING COMMITTEES

The following reports of Standing Committees were received:

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 172, introduced by Bergstrom and Flachsenhar, respectfully report as follows: That House Bill No. 172 be amended by inserting in line 7 of Section 1, the word "Additional" after the word "without" and that the bill so amended do pass.

DONALDSON, Chairman.

On motion of Donaldson, report adopted.

Mr. Speaker: We, your Committee on Public Utilities and State Commissions, having had under consideration House Bill No. 183, introduced by Berryman, respectfully report as follows: That House Bill No. 183 be referred to the Judiciary Committee.

ANDRUS, Chairman.

On motion of Andrus, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 179, introduced by H. A. Schoening, respectfully report as follows: That House Bill No. 179 be amended as follows:

By striking "1907" in line 1 and inserting in lieu thereof "1921," and by striking the word "discharge" in line 13 and inserting in lieu thereof the word "disregard."

And that as amended it do pass.

BURNS, Chairman.

On motion of Burns, report adopted.

Committee for visiting the sick members reported as follows:

We, your Committee for Visiting the Sick called on Representative Fletcher of Golden Valley County, who is sick at the St. Peters hospital. Mr. Fletcher is getting along nicely and expects to be back in the Assembly within a few days. Flowers have been sent Mr. Fletcher.

NELSTEAD, Chairman.



## INTRODUCTION OF BILLS AND MEMORIALS

The following bills were introduced, read first and second times by title only and referred to committees as follows:

House Bill No. 212, introduced by Loble and Keeley: A Bill for an Act entitled: "An Act to repeal Section 2438 of the Revised Codes of Montana, 1921, relating to license for roller skating rinks and merry-go-rounds." Referred to Committee on Public Safety.

House Bill No. 213, introduced by James T. Fitzgerald: A Bill for an Act entitled: "An Act to amend Section 8868 of the Code of Civil Procedure; Revised Codes of Montana, 1921, relating to disqualification of judicial officers, by making provision in the affidavit of disqualification designated and provided in paragraph 4 of said section for criminal cases, actions, motions and proceedings." Referred to Judiciary Committee.

House Bill No. 214, introduced by Eaton: A Bill for an Act entitled: "An Act to amend Sections 1189 and 1190 of the Revised Codes of Montana, 1921, relating to meetings of State Textbook Commission and contracts for supplying textbooks." Referred to Public Utilities and State Commissions Committee.

House Bill No. 215, introduced by Meagher: A Bill for an Act entitled: "An Act relating to the redemption of real property from tax sale by paying the original tax and interest thereon when no assignment of the certificate of tax sale has been made by the county." Referred to Committee on Revenue and Taxation.

## MOTIONS AND RESOLUTIONS

Moved by Graybill, duly seconded, that House reconsider its action of yesterday regarding the keeping of lobbyists from the House floor during sessions.

Question arising on motion, same failed.

## CONSIDERATION OF GENERAL ORDERS

Moved by Ruffcorn, duly seconded and carried, that House now resolve itself into Committee of the Whole for Consideration of General Orders, and that debate be limited to five minutes to each person on any question, with the provision that on important questions one member may turn over his time to another.

Mr. Wold in the chair.

Committee arose.

Mr. Speaker in the chair.

Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bill No. 119, House Joint Memorial No. 3, House Bills Nos. 143 and 144, respectfully report as follows: That

House Bill No. 119 be amended as follows:

Section 1. By inserting in line 6 thereof, after "Part 3" the words "of the Political Code."

Section 2. By striking out in line 4 after the words "State Treasurer" the words "(at the end of every calendar month)" and inserting in lieu thereof the words "on the tenth and twenty-fifth days of each calendar month."

And that as amended, House Bill No. 119 do pass.

House Joint Memorial No. 3 do pass.

House Bill No. 143 do pass.

House Bill No. 144 be referred to Committee on Public Safety.

WOLD, Chairman.

Moved by Wold, duly seconded, that report of Committee of the Whole be adopted.



Moved by Holt, duly seconded and carried, as substitute motion, that House Bill No. 119 be segregated from the report.

Question arising on motion of Wold that report of Committee of the Whole be adopted, with House Bill No. 119 segregated from the report, same carried.

Moved by Holt, duly seconded and carried, that House Bill No. 119 be referred to Committee on Education.

Moved by Ruffcorn, duly seconded and carried, that House recess until 2:30 P. M.

#### AFTERNOON SESSION

House resumed at 2:30 P. M.

Mr. Speaker in the chair.

#### MOTIONS AND RESOLUTIONS

Moved by Fox, duly seconded and carried, that the Speaker appoint a select committee of five, which said committee shall be known as the "Committee on Titles," the purpose thereof being to eliminate the confusion and delay of this body in the consideration of General Orders. That, in the event such committee is authorized, it shall be their duty to examine the titles and formal parts of bills referred to it and of bills, the titles to which may appear irregular to the several committees of this House.

#### CONSIDERATION OF GENERAL ORDERS

Moved by Ruffcorn, duly seconded and carried, that the House resolve itself into the Committee of the Whole for the Consideration of General Orders and that debate be limited to five minutes on any one subject.

Mr. Donaldson in the chair.

Committee arose.

Mr. Speaker in the chair.

Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bills Nos. 145, 96, 106, 107, 137, 42 and 117, respectfully report as follows: That

House Bill No. 145 be referred to Title Committee.

House Bill No. 96 be amended as follows:

Section 3. By striking out in line 4 "\$2500" and inserting in lieu thereof the figures "\$3000.00."

And that as amended, House Bill No. 96 do pass.

House Bill No. 106 be amended as follows:

Title. By adding thereto "and providing penalties for the violation of this Act."

Section 6. By striking out all of Section 6 and amending Section 7 to read "Section 6."

And that as amended, House Bill No. 106 do pass.

House Bill No. 107 be amended as follows:

Section 1. By inserting Paragraph (G) after Paragraph "F"—"The person receiving such training and his parents or guardian have not filed, with his application, an affidavit showing what property he or his parent own, and also showing that his relatives, friends, or former employer are unwilling to maintain him."

Section 4. By striking out in line 1 the words "so far as the same," and that, as amended, House Bill No. 107 do pass.

House Bill No. 137, do pass.

House Bill No. 42 be amended as follows:

Section 2. By striking out in line 2 the period after "approval," and

inserting a comma in lieu thereof, and adding the following: "Notwithstanding the provisions of Section 8 of the Budget Act, Section 301 of the Revised Codes of Montana of 1921,"

and that, as amended, House Bill No. 42 do pass.

House Bill No. 117 be referred to Judiciary Committee.

DONALDSON, Chairman.

On motion of Donaldson, report adopted.

The Printing Committee reported as follows:

Mr. Speaker: We, your Committee on Printing, beg leave to report the following bills correctly printed:

House Bills Nos. 171, 169, 147, 141, 56 and 59.

FRED W. ZEH, Chairman.

Mr. Speaker named the following members to serve on Committee on Titles:

Keeley of Powell.

Fitzgarrald of Ravalli.

Johnson of Valley.

Nagle of Lewis and Clark.

McGrath of Silver Bow.

There being no objections, House reverted to Order of Business No. 2.

#### NOTICES

Authors gave notice that they will on tomorrow or some subsequent day introduce bills as follows:

By Committee on Banks and Banking: A Bill for an Act entitled: "An Act to amend Section 6048 of the Revised Codes of Montana of 1921, relating to dividends, surplus and losses, defining a bad debt and providing for the charging off of the same."

By Burns: A Bill for an Act entitled: "An Act to amend and reenact Section 3956 of the Revised Codes of Montana of 1921, as amended by Section 1 of Chapter 147 of the Session Laws of the Eighteenth Legislative Assembly relating to the procedure for organizing irrigation districts and examination and report of the Public Service Commission thereon."

By Loble and Keeley: A Bill for an Act entitled: "An Act to repeal Section 11471 of the Revised Codes of Montana, 1921, relating to the punishment of offenses that heretofore were crimes."

By Kelly and Hardcastle: A Bill for an Act entitled: "An Act providing for the cancellation of delinquent personal property taxes and tax sales and certificates of tax sales of real property."

By Committee on Banks and Banking: A Bill for an Act entitled: "An Act to determine the status of public deposits in insolvent banks."

By Loble: A Bill for an Act entitled: "An Act defining the term 'Itinerant Vendor' and to regulate and to license itinerant vendors, and to fix the terms and the amount of license fees to be paid, and to provide funds for such regulation and the enforcement thereof, and to provide for their collection, and to prevent fraud, and to provide penalties for the violation of any of the terms of this Act and for other purposes, and repealing Sections 2421 to 2428, inclusive, of the Revised Codes of Montana of 1921."

By Loble: A Bill for an Act entitled: "An Act defining the term 'Transient Merchant,' and to regulate and to license transient merchants, and to fix the terms of regulations and the amount of license fees to be paid, to provide funds for such regulations and the enforcement thereof, and to provide for their collection, and to require bond, and to prevent fraud, and to provide penalties for the violation of any of the terms of this Act, and for other purposes."

By Loble: A Bill for an Act entitled: "An Act defining the term 'Huckster,' and to regulate and license hucksters, and to fix the terms of regulations, and the amount of license fees to be paid, and to provide for their collection, and to prevent frauds, and to provide penalties for the violation of any of the terms of this Act, and for other purposes."

By Ruffcorn, Elmer Johnson, Holt, and Loble: A Bill for an Act entitled: "An Act providing for the payment of taxes on personal property sold under chattel mortgage, attachment or execution."

By Ruffcorn and Loble: A Bill for an Act entitled: "An Act to authorize the State Board of Prison Commissioners to establish at the Montana State Prison such industries as it may determine to be for the best interests of the inmates thereof and the State of Montana, the products of which shall not compete in the market with products of free labor engaged in similar industries; providing for the payment of inmates employed in such industries and the disposition of their wages; providing for the sale and price of such products; making the Warden of the State Prison Superintendent of such industries; providing for the disposition of the profits arising from such industries; authorizing the State Board of Prison Commissioners to make agreements with other states relative to state uses of the products of such industries; and making a supplemental appropriation of money for the purpose of carrying this Act into effect."

By Masters: A Bill for an Act entitled: "An Act to amend Section 3379 and to repeal Section 3386, Revised Codes of Montana, 1921, relating to trespassing animals."

Moved by Ruffcorn, duly seconded and carried, that House adjourn until 10:00 A. M., January 30, 1925.

R. C. BRICKER, Speaker.

Attest: H. J. FAUST, Chief Clerk.

## TWENTY-SIXTH DAY

House of Representatives,  
Helena, Montana, January 30, 1925.

House met pursuant to adjournment at 10:00 A. M.

Mr. Speaker in the chair.

Prayer by the Chaplain.

On roll call all present except: Fletcher, excused on account of sickness; Merritt, Higham and Wold, excused until Monday, and Hoffman and Moss, absent.

The Journal Committee reported as follows:

Mr. Speaker: We, your Committee on Journal, have this day examined the Journal for the twenty-fifth Legislative day and found the same correct.

PEARL I. SMITH, Chairman.

On motion of Smith, report adopted.

The Committee on Printing reported as follows:

Mr. Speaker: We, your Committee on Printing, beg leave to report the following bills correctly printed:

House Bills Nos. 149, 173, 133, 180.

FRED W. ZEH, Chairman.

The Committee on Engrossing reported as follows:

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed:

House Bills Nos. 143, 91, 36, and 93.

H. J. M. No. 3.

H. M. No. 1.

J. J. BERRYMAN, Chairman.



## NOTICES

Authors gave notice that they will on tomorrow or some subsequent day introduce a bill as follows:

By Loble and Keeley: A Bill for an Act entitled: "An Act to repeal Section 11310 of the Revised Codes of Montana, 1921, relating to selling of toy pistols."

## REPORTS OF STANDING COMMITTEES

The following reports were received from standing committees:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 196, introduced by Patterson and Troy, respectfully report as follows: That House Bill No. 196 do not pass.

BURNS, Chairman.

On motion of Burns, report adopted.

Mr. Speaker: We, your Committee on Banks and Banking, having had under consideration House Bill No. 95, introduced by Caplis, respectfully report as follows: That House Bill No. 95 be amended as follows, to-wit:

That in Section 3 of said bill, subdivision 2 thereof, that the word "or" be inserted after the word "County" and the words "township or borough" be stricken from said bill; that Section 4 be stricken and that in lieu thereof will be placed the following:

"Section 4. No corporation shall be organized under this Act to do business in a city having a population of less than twenty-five thousand inhabitants, and that such corporation shall have an aggregate amount of capital stock of not less than \$25,000.00."

That Section 5 be amended in lines 2 and 3 of said section by striking out the words "at least twenty-five per centum" and inserting thereof the word "all," and that Section 5 be further amended by striking out the last four lines of said section commencing with the words "The Balance."

That Section 6 be amended by adding the letter "s" to the word "word" and inserting immediately thereafter the word "industrial."

That Section 7 of said bill be amended by striking out in lines 4 and 5 of said section the words "twenty-five per centum" and inserting the word "all." That Section 7 of said bill be further amended by striking out all of that subdivision therein designated "Tenth," and to amend subdivision 6 of Section 7, by adding the words "provided, however, that no such corporation shall charge or receive interest in excess of the legal rate of interest provided for in the State of Montana," and that the bill thus amended do pass.

JOHNSON, Chairman.

On motion of Johnson, report adopted.

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration House Bill No. 202, introduced by Ruffcorn, Holt, Johnson and Loble, respectfully report as follows: That House Bill No. 202 be amended as follows:

Section 1, by inserting after "1921" the words "as amended by Chapter 102, Session Laws 1923," so as to conform to the title, and, as so amended, that the bill do pass.

HARRIS, Chairman.

On motion of Harris, report adopted.

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration House Bill No. 105, introduced by McAfee, respectfully report as follows: That House Bill No. 105 do pass.

HARRIS, Chairman.

On motion of Harris, report adopted.

Mr. Speaker: We, your Committee on Education, having had under

consideration House Bill No. 191, introduced by Smith of Beaverhead, respectfully report as follows: That House Bill No. 191 do pass.

EATON, Chairman.

On motion of Eaton, report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 119, introduced by Besancon, Hanson and Hoffman, respectfully report as follows: That House Bill No. 119 be amended as follows:

Amend the title by adding after the word "Commissioner" at the end of the title the following: by striking out the period and adding the words, "and provide for the distribution of the fees connected therewith," and as so amended do pass.

EATON, Chairman.

On motion of Eaton, report adopted.

Mr. Speaker: We, the majority of your Committee on Education, having had under consideration House Bill No. 77, introduced by Holt, respectfully report as follows: That House Bill No. 77 do not pass.

BESANCON,  
PLANK,  
MERRITT,  
EATON,  
McCARTY,  
GORDON,  
DAVIS,  
KINVILLE.

Mr. Speaker: We, the minority of your Committee on Education, having had under consideration House Bill No. 77, introduced by Holt, respectfully report as follows: That House Bill No. 77 be amended as follows:

By adding a new sentence at the end of the first section after "there-with" in line 26, the following: "Provided that the County Superintendent shall not be required to verify attendance of pupils, when such action reduces the number of pupils attending the high school the child would otherwise attend as shown by the 1924 high school enrollment or any enrollment hereafter which shows a larger attendance. More than 5% in high schools having 50 or less pupils, 10% in high schools having more than 50 and less than 100 pupils and 15% in high schools having 100 and not more than 150 pupils. Counties having more than a three mill levy for high school purposes shall not be requested to transfer more than a pro rata share of a three mill levy," and as so amended do pass.

SALES,  
HAWLEY,  
BURNS,  
ANDRUS,  
GRAYBILL,  
MOSS,  
HEDRICK.

Moved by Besancon, duly seconded, that majority report be adopted.

Moved by Holt, as substitute motion, duly seconded, that minority report be adopted.

Question arising on substitute motion to adopt minority report, same carried.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 136, introduced by Ruffcorn, Burns, Hanson, Waite, Gordon, Leavens, Schoening, Campbell, Graybill, Peterson, Donaldson, White, Bergstrom, Davis, Johnson, Wold, Holt, respectfully report as follows: That House Bill No. 136 be amended as follows:

By inserting in line 11, page 2, between the words "raised" and "and,"

the following "shall order the liquor destroyed," and that Section 4 of said bill be stricken therefrom, and that as amended bill do pass.

BURNS, Chairman.

On motion of Burns, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 185, introduced by Wuerthner, respectfully report as follows: That House Bill No. 185 do not pass.

BURNS, Chairman.

On motion of Burns, report adopted.

Mr. Speaker: We, your Committee on Banks and Banking, having had under consideration House Bill No. 18, introduced by Besancon, respectfully report as follows: That House Bill No. 18 do not pass.

JOHNSON, Chairman.

On motion of Johnson of Fergus, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 215, respectfully report as follows: That House Bill No. 215 be re-referred to the Ways and Means Committee.

RUFFCORN, Chairman.

On motion of Ruffcorn, report adopted.

#### INTRODUCTION OF BILLS AND MEMORIALS

The following bills were introduced, read first and second times by title only and referred to committees as follows:

House Bill No. 216, introduced by Smith of Lewis and Clark and Nagle: A Bill for an Act entitled: "An Act to create a new section of the Revised Codes of Montana, 1921, to be known as Section 9228A, relating to the exemption of juror's mileage and fees from execution or attachment." Referred to Committee on Townships and Counties.

House Bill No. 217, introduced by Loble and Keeley: A Bill for an Act entitled: "An Act to repeal Section 11471 of the Revised Codes of Montana, 1921, relating to the punishment of offenses that heretofore were crimes." Referred to Judiciary Committee.

House Bill No. 218, introduced by Besancon: A Bill for an Act entitled: "An Act to amend Section 6021 of the Montana Revised Codes of 1921, relating to the incorporation of banks and duties of the Superintendent of Banks." Referred to Committee on Banks and Banking.

House Bill No. 219, introduced by Beadle and Burns: A Bill for an Act entitled: "An Act to amend Sections 3156, 3157, 3158, 3159, 3166, 3167, and 3196 of the Revised Codes of the State of Montana of 1921, relating to the regulation of the practice of optometry and to prevent ignorant, unprofessional or incompetent persons from practicing same." Referred to Committee on Judiciary.

House Bill No. 220, introduced by Gordon: A Bill for an Act entitled: "An Act to amend Sections 7280, 7282, 7283, and 7284, Revised Codes of Montana, 1921, and to add four new sections thereto, to be designated as Sections 7283A, 7283B, 7283C, and 7283D, all relating to drainage districts." Referred to Committee on Development and Publicity.

House Bill No. 221, introduced by Fitzgerald and Strange: A Bill for an Act entitled: "An Act to repeal Section 3320, Revised Codes of Montana of 1921, relating to fees of officers making inspection of horses." Referred to Livestock and Public Ranges Committee.

House Bill No. 222, introduced by Kelly and Hardcastle: A Bill for an Act entitled: "An Act providing for the cancellation of delinquent personal property taxes and tax sales and certificates of tax sales of real property." Referred to Townships and Counties Committee.

House Bill No. 223, introduced by Robert Larson: A Bill for an Act entitled: "An Act requiring each deed or other conveyance of real prop-



erty in this state to contain the name and last known address of the grantee." Referred to Judiciary Committee.

House Bill No. 224, introduced by Committee on Banks and Banking: A Bill for an Act entitled: "An Act to amend Section 6048 of the Revised Codes of Montana of 1921, relating to dividends, surplus and losses, defining a bad debt and providing for the charging off of the same." Referred to Committee on Banks and Banking.

House Bill No. 225, introduced by Committee on Banks and Banking: A Bill for an Act entitled: "An Act to determine the status of public deposits in insolvent banks." Referred to Committee on Banks and Banking.

House Bill No. 226, introduced by Committee on Banks and Banking: A Bill for an Act entitled: "An Act to amend Sub-Section 6109e of Section 4, Chapter 90, of the Laws of 1923, relating to banks going into voluntary liquidation." Referred to Banks and Banking Committee.

House Bill No. 227, introduced by Committee on Banks and Banking: A Bill for an Act entitled: "An Act to amend Sub-Section 6109a of Section 4, Chapter 90, of the Laws of 1923, relating to the power of the Superintendent of Banks to prescribe rules and regulations for the administration of the banking laws of Montana." Referred to Committee on Banks and Banking.

House Bill No. 228, introduced by Committee on Banks and Banking: A Bill for an Act entitled: "An Act to amend Sub-Section 6109d of Section 4, Chapter 90, of the Laws of 1923, relating to the assessment of the capital stock of banks to make good their impairment." Referred to Committee on Banks and Banking.

House Bill No. 229, introduced by Loble: A Bill for an Act entitled: "An Act defining the term 'Transient Merchant' and to regulate and to license transient merchants and to fix the terms of regulations and the amount of license fees to be paid, to provide funds for such regulations and the enforcement thereof, and to provide for their collection, and to require bond, and to prevent fraud, and to provide penalties for the violation of any of the terms of this Act, and for other purposes." Referred to Committee on Improvements and Manufacturing.

House Bill No. 230, introduced by Loble: A Bill for an Act entitled: "An Act defining the term 'Huckster' and to regulate and license hucksters, and to fix the terms of regulations, and the amount of license fees to be paid, and to provide for their collection, and to prevent frauds, and to provide penalties for the violation of any of the terms of this Act, and for other purposes." Referred to Improvements and Manufacturing Committee.

House Bill No. 231, introduced by Ruffcorn, Johnson (Valley), Holt, and Loble: A Bill for an Act entitled: "An Act providing for the payment of taxes on personal property sold under chattel mortgage, attachment or execution." Referred to Committee on Revenue and Taxation.

House Bill No. 232, introduced by Ruffcorn and Loble: A Bill for an Act entitled: "An Act to authorize the State Board of Prison Commissioners to establish at the Montana State Prison such industries as it may determine to be for the best interests of the inmates thereof and the State of Montana, the products of which shall not compete in the market with products of free labor engaged in similar industries; providing for the payment of inmates employed in such industries and the disposition of their wages; providing for the sale and price of such products; making the Warden of the State Prison Superintendent of such industries; providing for the disposition of the profits arising from such industries; authorizing the State Board of Prison Commissioners to make agreements with other states relative to state uses of the products of such industries; and making a supplemental appropriation of money for the purpose of carrying this Act into effect." Referred to Committee on Public Utilities and State Commissions.

## CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

Moved by Flachsenhar, duly seconded and carried, that communications from Senate be considered read at length and that the Journal so show.

The following communications were received from the Senate:

Helena, January 29, 1925.

Mr. Speaker: On motion duly made and seconded, the action of the Committee on Finance and Claims, reporting non-concurrence in House Bill No. 50, was this day rescinded and said bill was ordered recalled for further consideration.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, January 29, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the attached communication, appointing James H. Stewart a member of the State Board of Equalization, was this day received from the Governor and that the appointment was confirmed by the Senate.

Respectfully,

J. F. CONE, Secretary of Senate.

## COPY

Helena, Montana, January 29, 1925.

The President of the Senate,  
Senate Chamber,

Helena, Montana.

I hereby nominate and by and with the consent of the Senate do appoint James H. Stewart of Meagher county to be a member of the State Board of Equalization.

This appointment is for the term of six years, beginning March 1, 1925.

J. E. ERICKSON, Governor.

Helena, Montana, January 29, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee of the Whole, having had under consideration Business on General File, report as follows:

That consideration of S. B. No. 29 be passed for the day.

That consideration of H. B. No. 3 be passed for the day.

That H. J. M. No. 1 be concurred in. On motion, H. J. M. No. 1 was segregated from the report and re-referred to Committee on Irrigation.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, January 29, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read first and second times and referred to the standing committees:

H. B. No. 26—Judiciary.

H. B. No. 45—Counties and Towns.

H. B. No. 103—Compensation.

H. B. No. 92—Irrigation.

H. B. No. 124—Finance and Claims.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, January 29, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Notices were this day given:

By Corrington and Schnitzler: "An Act to repeal Section 4208 of the Revised Codes of Montana of 1921, relating to the State Gasoline Inspection Fund and authorizing the State Treasurer to transfer the balance now therein to the General Fund."

By Corrington and Schnitzler: "An Act to authorize the State Treasurer of the State of Montana to discontinue the carrying of the Anti-Hog Cholera Serum Fund, and authorizing the State Treasurer to transfer the money in said fund to the General Fund of the State of Montana."

By Corrington and Schnitzler: "An Act to authorize the State Treasurer of the State of Montana to discontinue the carrying of the Capitol Annex Bond and to authorize the State Treasurer of the State of Montana to transfer all moneys from said fund to the Capitol Building Interest and Sinking Fund."

By Corrington and Schnitzler: "An Act to amend Section 188 of the Revised Codes of Montana of 1921 as amended by Chapter 85 of the Laws of the Eighteenth Legislative Assembly relating to the depositing of funds in the hands of the State Treasurer and providing for the securing of such deposits."

By Corrington and Schnitzler: "An Act to authorize the State Treasurer of the State of Montana to discontinue the carrying of the Biological Station Maintenance Fund, and authorizing the State Treasurer to transfer the money in said fund to the University Interest and Income Fund of the State of Montana."

By Corrington and Schnitzler: "An Act authorizing the State Treasurer of the State of Montana to discontinue the carrying of the Veterans' Welfare Interest and Sinking Fund and authorizing the State Treasurer to transfer all moneys in said fund to the General Fund of the State."

By Corrington and Schnitzler: "An Act to amend Section 2645 of the Revised Codes of Montana of 1921 relating to the disposition of the fees collected by the State Board of Health."

By Corrington: "An Act relating to irrigation districts, amending Sections 7210, 7211, 7216, 7218 and 7226 of the Revised Codes of Montana, 1921, and as amended by the Laws of the Eighteenth Legislative Assembly of the State of Montana, and making it optional with irrigation districts, organized under the provisions of Chapter 146 of the Laws of 1909 and the amendments thereto, as to whether bonds issued by such district shall be submitted to the irrigation district bond commission of the State of Montana for approval."

By Smith: "An Act to amend Section 618 of the Revised Codes of Montana of 1921, relating to when and where certificates of nomination to State, County and Municipal Offices must be filed and providing that the provisions of this Act shall not be held to apply to nominations for special elections to fill vacancies."

By Oliver, Peck, Brownlee, Survant, Delaney, Pomeroy, Church, Peterson, Linn, Speer, Cowan, Hazelbaker: "An Act to provide for the nomination of candidates for office, to regulate the calling and holding of primary meetings and county and state conventions for the purpose of nominating such candidates, to prescribe the manner of making independent nominations by petition, to impose penalties for violations of this Act, and to repeal Chapters 52 and 53, being Sections 631 to 676, both inclusive, of the Revised Codes of Montana, 1921, and all other Acts and parts of Acts in conflict herewith, and providing for referring this Act to referendum vote at general election of 1926."

By Oliver: "An Act to amend Section 6039 of the Revised Codes of Montana of 1921, as amended by Chapter 9 of the Laws of the Eighteenth Legislative Assembly, relating to liability of stockholders and providing means for paying and collecting said liability."

By Oliver: "An Act to amend Sections 2317 and 2324, Revised Codes of Montana, 1921, relating to the disposition of moneys received from the coal mines and dealers' license tax."



By Oliver: "An Act to regulate the operation of building and loan associations doing business in Montana."

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, January 29, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following bills were this day introduced in the Senate and referred to the standing committees:

S. B. No. 50, by Scofield: A Bill for an Act entitled: "An Act to amend Section 7093 of the Revised Codes of Montana, 1921, relating to the appropriation of water." Referred to Committee on Irrigation and Water Rights.

S. B. No. 51, by Speer: A Bill for an Act entitled: "An Act relating to irrigation districts and empowering the State Land Board to consent to the inclusion of state lands therein; to sign petitions for issuance of bonds of such districts, and to sign petitions for contracts with the United States in relation thereto." Referred to Committee on Irrigation and Water Rights.

S. B. No. 52, by Church: A Bill for an Act entitled: "An Act to amend Section 6269 of the Revised Codes of Montana, 1921, relating to the investment of funds of life insurance companies." Referred to Committee on Insurance.

S. B. No. 53, by Stock Growing and Grazing Committee: A Bill for an Act entitled: "An Act to provide for the prevention of the introduction and spread of diseases among livestock, including poultry, dogs and other animals; authorizing the Governor to issue a proclamation designating the territory in which such disease may exist and forbidding the importation therefrom, except under certain restrictions, of any such livestock, poultry, dogs or other animals, and of any article or commodity likely to convey such disease; and prescribing penalties for the disobedience of such proclamation." Referred to Committee on Printing.

S. B. No. 54, by Stock Growing and Grazing Committee: A Bill for an Act entitled: "An Act making it unlawful for any owner, or person having the management or control, of a stallion, ridgeling, unaltered male mule, or jackass, over the age of one year, to permit or suffer it to run at large on the open range; defining open range; declaring such animal so running at large a public nuisance; prescribing penalties for violations of this Act; providing that such owner or person having management or control shall be liable for all injuries caused by such running at large; providing for the proceedings and notices necessary to be taken and given for the castration, and disposal of such animals; and repealing Sections 3396, 3397, 3398, 3399 and 3400 of the Revised Codes of Montana of 1921." Referred to Committee on Printing.

Respectfully,

J. F. CONE, Secretary of Senate.

At request of Stoddard, there being no objections, House reverted to Order of Business No. 2.

#### NOTICES

Authors gave notice that they will on tomorrow or some subsequent day introduce bills as follows:

By Committee on Banks and Banking: A Bill for an Act entitled: "An Act amending Section 6070 of the Revised Codes of Montana of 1921, relating to the creation of the State Banking Department and to the appointment of a Superintendent of Banks and his deputies, fixing their terms of office and salary."

By Committee on Revenue and Taxation: A Bill for an Act entitled: "An Act to amend Sections 2399, 2404 and 2405 of Chapter 67, Session Laws of 1923, relative to time of payment of oil producers' license tax, fixing penalty for failure to pay, creating a lien therefor, and procedure

to determine and collect such tax on failure of statement to State Treasurer."

By Committee on Revenue and Taxation: A Bill for an Act entitled: "An Act to amend Sections 2322, 2323, 2333, and 2334, of Chapter 182, Revised Codes of Montana, 1921, relative to penalty for failure to pay coal miners' and dealers' license tax, creating a lien therefor, and procedure to determine and collect tax on failure of statement to State Treasurer."

By Committee on Revenue and Taxation: A Bill for an Act entitled: "An Act to amend Sections 2362, 2363, 2373 and 2374 of Chapter 184, Revised Codes of Montana, 1921, relative to penalty for failure to pay cement producers' and dealers' license tax, creating a lien therefor, and procedure to determine and collect such tax on failure of statement to State Treasurer."

By Committee on Revenue and Taxation: A Bill for an Act entitled: "An Act to amend Sections 2388 and 2389 of Chapter 185, Revised Codes of Montana, 1921, relative to penalty for failure to pay gasoline distributors' and dealers' license tax, creating a lien therefor, and procedure to determine and collect such tax on failure of statement to State Treasurer."

### THIRD READING OF HOUSE BILLS

House Bill No. 36, by Hanson and Nelson, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Caplis, Castles, Cusick, Davis, Dellwo, Donaldson, Duncan, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Fox, Gordon, Green, Hanson, Hardcastle, Hedrick, Holt, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Lemmon, Lincoln, Loble, Miller, Moriarty, Mulholland, McAfee, McCarty, McGrath, Nelson, Parkin, Patterson, Peat, Plank, Reed, Ruffcorn, Ryder, Sales, Schoening, Stoddard, Strange, Throssel, Tinsley, Troy, Walton, White, Zeh, Mr. Speaker. Total—66.

Noes: Graybill, Harris, Holton, Leavens, Meagher, Moulton, Murphy, Nagle, Nelstead, Plumer, Rice, Shields, Smith (Lewis and Clark), Waite, Walker, Wuerthner. Total—16.

Absent and not voting: Ainsworth, Clarke, Doran, Eaton, Fletcher, Flynn, Hawley, Higham, Hoffman, Kelly, Masters, Merritt, Morris, Moss, Peterson, Rupert, Smith (Beaverhead), Steeves, Wold. Total—19.

House Bill No. 91, by Beadle, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Akofer, Anderson, Beadle, Bergstrom, Berryman, Besancon, Budas, Burns, Campbell, Caplis, Castles, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Fox, Gordon, Graybill, Hanson, Hardcastle, Harris, Hedrick, Holt, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kennedy, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lemmon, Lincoln, Loble, Meagher, Miller, Moriarty, Morris, Moulton, Mulholland, Murphy, McAfee, McCarty, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Peat, Plank, Plumer, Reed, Rice, Ruffcorn, Ryder, Sales, Schoening, Shields, Smith (Lewis and Clark), Stoddard, Strange, Throssel, Tinsley, Troy, Waite, Walker, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—81.

Noes: None.

Absent and not voting: Ainsworth, Andrus, Brandt, Clarke, Fletcher, Flynn, Green, Hawley, Higham, Hoffman, Kelly, Kinville, Masters, Merritt, Moss, Peterson, Rupert, Smith (Beaverhead), Steeves, Wold. Total—20.



House Bill No. 93, by Troy, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Akofer, Anderson, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Caplis, Castles, Cusick, Davis, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgerald, Flachsenhar, Fox, Gordon, Hanson, Hardcastle, Harris, Hedrick, Holt, Holton, Joffray, Johnson (Fergus), Keeley, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lemmon, Lincoln, Loble, Meagher, Miller, Moriarty, Morris, Mulholland, Murphy, McCarty, McGrath, Nagle, Nelson, Nelstead, Patterson, Plank, Plumer, Reed, Rice, Ruffcorn, Ryder, Schoening, Smith (Lewis and Clark), Steeves, Stoddard, Throssel, Tinsley, Troy, White, Wuerthner, Zeh, Mr. Speaker. Total—68.

Noes: Campbell, Dellwo, Fitzgarrald, Graybill, Green, Johnson (Valley), Kennedy, Moulton, McAfee, Parkin, Peat, Sales, Shields, Strange, Waite, Walker, Walton. Total—17.

Absent and not voting: Ainsworth, Andrus, Clarke, Fletcher, Flynn, Hawley, Higham, Hoffman, Kelly, Masters, Merritt, Moss, Peterson, Rupert, Smith (Beaverhead), Wold. Total—16.

House Bill No. 143, by Ainsworth and Campbell, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Akofer, Anderson, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Castles, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Fox, Gordon, Graybill, Hardcastle, Harris, Holt, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Lemmon, Lincoln, Loble, Masters, Meagher, Miller, Moriarty, Moulton, Mulholland, Murphy, McAfee, McCarty, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Peat, Plank, Plumer, Reed, Rice, Ruffcorn, Ryder, Sales, Schoening, Shields, Smith (Lewis and Clark), Steeves, Strange, Throssel, Tinsley, Waite, Walker, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—78.

Noes: None.

Absent and not voting: Ainsworth, Andrus, Beadle, Caplis, Fletcher, Flynn, Green, Hanson, Hawley, Hedrick, Higham, Hoffman, Kelly, Leavens, Merritt, Morris, Moss, Peterson, Rupert, Smith (Beaverhead), Stoddard, Troy, Wold. Total—23.

House Memorial No. 1, introduced by McCarty, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Anderson, Andrus, Bergstrom, Besancon, Brandt, Budas, Burns, Campbell, Castles, Cusick, Davis, Donaldson, Duncan, Eaton, Fitzgarrald, Gordon, Graybill, Harris, Holt, Johnson (Valley), Kennedy, Larsen (Sheridan), Lemmon, Lincoln, Loble, Masters, Meagher, Miller, Moriarty, Morris, Murphy, McAfee, McCarty, Nagle, Nelson, Nelstead, Plank, Plumer, Reed, Ruffcorn, Schoening, Shields, Smith (Lewis and Clark), Steeves, Stoddard, Strange, Waite, Wuerthner, Walton, Zeh. Total—50.

Noes: Akofer, Berryman, Caplis, Clarke, Dellwo, Fairgrieve, Fitzgerald, Fox, Green, Hardcastle, Hedrick, Joffray, Keeley, Johnson (Fergus), Larson (Cascade), Larson (Sheridan), Moulton, Mulholland, McGrath, Parkin, Patterson, Peat, Rice, Ryder, Sales, Throssel, Tinsley, Troy, Walker, White, Mr. Speaker. Total—31.

Absent and not voting: Ainsworth, Beadle, Doran, Flachsenhar, Fletcher, Flynn, Hanson, Hawley, Higham, Hoffman, Holton, Kelly, Kinville, Leavens, Merritt, Moss, Peterson, Rupert, Smith (Beaverhead), Wold. Total—20.

House Joint Memorial No. 3, introduced by Hoffman and Hanson, having been read three several times, title and history agreed to, was passed by the following vote:



Ayes: Ainsworth, Akofer, Anderson, Beadle, Bergstrom, Berryman, Besancon, Budas, Burns, Campbell, Castles, Clarke, Cusick, Davis, Dellwo, Donaldson, Duncan, Eaton, Fairgrieve, Fitzgerald, Fox, Gordon, Graybill, Green, Hanson, Hardcastle, Harris, Hedrick, Holt, Holton, Joffray, Johnson( Fergus), Johnson (Valley), Keeley, Larson (Sheridan), Larsen (Sheridan), Larson (Cascade), Leavens, Lemmon, Lincoln, Loble, Masters, Meagher, Miller, Moriarty, Morris, Moulton, Murphy, McAfee, McCarty, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Peat, Plank, Reed, Rice, Ruffcorn, Plumer, Ryder, Sales, Schoening, Shields, Smith (Lewis and Clark), Stoddard, Strange, Throssel, Tinsley, Troy, Waite, Walker, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—79.

Noes: None.

Absent and not voting: Andrus, Brandt, Caplis, Doran, Fitzgarrald, Flachsenhar, Fletcher, Flynn, Hawley, Higham, Hoffman, Kelly, Kennedy, Kinville, Merritt, Moss, Mulholland, Peterson, Rupert, Smith (Beaverhead), Steeves, Wold. Total—22.

Moved by Ruffcorn, duly seconded and carried, that House recess until 2:30 P. M.

### AFTERNOON SESSION

House resumed at 2:30 P. M.

Mr. Speaker in the chair.

The Printing Committee reported as follows:

Mr. Speaker: We, your Committee on Printing, beg leave to report the following bills correctly printed:

House Bills Nos. 146, 153, 165, 126, 6, 163, 172, 179.

FRED W. ZEH, Chairman.

### NOTICES

Authors gave notice that they will on tomorrow or some subsequent day introduce bills as follows:

By Fairgrieve, Budas and Higham: A Bill for an Act entitled: "An Act appropriating money to reimburse the heirs of Tony Early for loss of interest on payments made to the State Board of Land Commissioners for purchase of lands and loss of improvements on said lands, to which the State of Montana was unable to give patent and from which said Tony Early, as such purchaser, was subsequently rejected."

By Loble, Larsen, Graybill, Hanson, Joffray, Flachsenhar, Johnson (Fergus), Fitzgarrald: A Bill for an Act entitled: "An Act to create a banking code committee and prescribe its powers and duties and making appropriation therefor."

### REPORTS OF STANDING COMMITTEES

The following reports of Standing Committees were received:

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 203, introduced by Caplis, Kinville, respectfully report as follows: That said House Bill No. 203, be printed and put on general orders and also with the request that the Printing Clerk supply the Silver Bow delegation with at least three hundred (300) extra copies to be distributed to the Butte citizens.

CLARKE, Chairman.

On motion of Clarke, report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 186, introduced by Fairgrieve, respectfully report as follows: That House Bill No. 186 do pass.

TROY, Chairman.

On motion of Troy, report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 197, introduced by Ways and Means Committee, respectfully report as follows: That House Bill No. 197 do pass.

TROY, Chairman.

On motion of Troy, report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 160, introduced by Duncan, respectfully report as follows: That House Bill No. 160 do pass.

TROY, Chairman.

On motion of Troy, report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 164, introduced by Loble and Keeley, respectfully report as follows: That House Bill No. 164 do not pass.

TROY, Chairman.

On motion of Troy, report adopted.

Mr. Speaker: We, your Committee on Public Safety, having had under consideration House Bill No. 167, introduced by Flynn by request, respectfully report as follows: That House Bill No. 167 do pass.

HOLT, Chairman.

On motion of Holt, report adopted.

Mr. Speaker: We, your Committee on Public Safety, having had under consideration House Bill No. 176, introduced by Wuerthner and Shields, respectfully report as follows: That House Bill No. 176 be referred to Committee on Public Utilities.

HOLT, Chairman.

On motion of Holt, report adopted.

Mr. Speaker: We, your Committee on Public Safety, having had under consideration House Bill No. 212, introduced by Loble and Keeley, respectfully report as follows: That House Bill No. 212 do not pass.

HOLT, Chairman.

On motion of Holt, report adopted.

Mr. Speaker: We, your Committee on Public Utilities and State Commissions, having had under consideration House Bill No. 214, introduced by Eaton, respectfully report as follows: That House Bill No. 214 do pass.

ANDRUS, Chairman.

On motion of Morris, report adopted.

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration House Bill No. 194, introduced by Holt, Ruffcorn, Loble and Ainsworth, respectfully report as follows: That House Bill No. 194 do pass.

HARRIS, Chairman.

On motion of Harris, report adopted.

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration House Bill No. 108, introduced by Davis, Flachsenhar, McAfee, Moss, Smith of Beaverhead and Waite, respectfully report as follows: That H. B. No. 108 be amended as follows: Section 1. By inserting in line 6, after the word "county" the words, "ten more than" and also adding after the word "precinct" in line 10 (of same section), a comma and the words "unless in the judgment of the county clerk a greater number be needed, but in no case to exceed one and one-half times as many as the number of registered voters in the precinct.

And that as amended, House Bill No. 108 do pass.

HARRIS, Chairman.

On motion of Harris, report adopted.

At request of Keeley, there being no objections, House reverted to Order of Business No. 5:

### INTRODUCTION OF BILLS AND MEMORIALS

The following bills were read first and second times, by title only, and referred to committees as follows:

House Bill No. 233, introduced by Keeley: A Bill for an Act entitled: "An Act to prohibit wilfull sheep trespasses and providing penalties therefor." Referred to Livestock and Public Ranges.

House Bill No. 234, introduced by Rice: A Bill for an Act entitled: "An Act to amend Sections 2269 and 2270, Revised Codes of Montana, 1921, relating to payment of taxes under protest." Referred to Revenue and Taxation.

### CONSIDERATION OF GENERAL ORDERS

Moved by Ruffcorn, duly seconded and carried, that House now resolve itself into Committee of the Whole for Consideration of General Orders, and that debate be limited to five minutes.

Mr. Burns in the chair.

Committee arose.

Mr. Speaker in the chair.

The Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bill No. 118, House Joint Resolution No. 4, House Bills Nos. 68, 61, 171, 169, 147, 154, respectfully report as follows: That

House Bill No. 118 do pass as amended.

House Bill No. 154 do pass.

House Joint Resolution No. 4 do pass.

House Bill No. 68 be amended as follows:

Section 1. By inserting in line 5, after the word "assessor," "excepting county assessors in counties in the seventh class."

And that as amended House Bill No. 68 do pass.

House Bill No. 61 do pass.

House Bill No. 171 do pass.

House Bill No. 169 be amended as follows:

Section 1. By inserting in line 5 after the word "rebellion," "or in the Spanish-American War."

And that as amended House Bill No. 169 do pass.

House Bill No. 147 do not pass.

BURNS, Chairman.

Moved by Burns, duly seconded that report of Committee of the Whole be adopted.

Moved by McCarty, as substitute motion, duly seconded, that House Bill No. 147 be segregated from the report.

Question arising on substitute motion that House Bill No. 147 be segregated from the report, same carried.

Moved by Holt, as substitute motion, duly seconded, that House Bill No. 118 be segregated from the report.

Question arising on substitute motion that House Bill No. 18 be segregated from the report, same carried.

Question arising on original motion by Burns that report of Committee of the Whole be adopted, with House Bills Nos. 147 and 118 segregated therefrom, same carried.

Moved by McCarty, duly seconded, that House Bill No. 147 be referred to Committee on Public Health.



Moved by Fitzgerald, duly seconded, as substitute motion, that House Bill No. 147 be referred to Committee on Public Safety.

Question arising on substitute motion, same failed.

Question arising on original motion that House Bill No. 147 be referred to Committee on Public Health, same carried.

Moved by Ruffcorn, duly seconded and carried, that House adjourn until 10:00 A. M., Saturday, January 31, 1925.

R. C. BRICKER, Speaker.

Attest: H. J. FAUST, Chief Clerk.

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## TWENTY-SEVENTH DAY

House of Representatives,  
Helena, Montana, January 31, 1925.

House met pursuant to adjournment at 10:00 A. M.

Mr. Speaker in the chair.

Prayer by the Chaplain.

On roll call all present except: Andrus, Beadle, Besancon, Doran, Duncan, Eaton, Flynn, Fox, Hardcastle, Hawley, Higham, Holt, Keeley, Kelly, Kennedy, Lemmon, Masters, Merritt, Morris, Moss, Murphy, McGrath, Parkin, Rupert, Smith of Beaverhead, Steeves, Strange, Wold—excused until Monday; Dellwo, Fitzgarrald, Hoffman—excused until Tuesday; and Fletcher—excused on account of sickness.

The Journal Committee reported as follows:

Mr. Speaker: We, your Committee on Journal, have this day examined the Journal for the 26th Legislative day and found the same correct.

SMITH, Chairman.

On motion, report adopted.

The Engrossing Committee reported as follows:

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed:

House Bills Nos. 154, 61, 96, 137, 106, 107, House Joint Resolution No. 4.

BERRYMAN, Chairman.

## NOTICES

Authors gave notice that they will on tomorrow or some subsequent day introduce bills as follows:

By Wuerthner: A Bill for an Act entitled: "An Act to amend Section 1855 of the Revised Codes of Montana, 1921, relating to the sale or lease of State lands."

By Burns and Castles: A Bill for an Act entitled: "An Act to amend Section 6575, Revised Codes of Montana, 1921, relating to the classes of personal property which may be transported free or at reduced rates by including therein provision for executive or secretarial of mercantile or promotion boards or bodies, or commercial clubs within the State when traveling in the performance of duties affecting the advancement of the business of such boards or bodies."

By Tinsley: "A Bill for an Act entitled: "An Act appropriating money for the payment to School District No. 7 of Madison County, Montana, for expenses incurred and being incurred in furnishing High School training and education to State charges and inmates of the State Orphans' Home."

By Rice: A Bill for an Act entitled: "An Act providing for the levy and collection of the per capita taxes known as the special road tax and

the special poor tax; prescribing the method of levying and collecting the same and the liability of employers in connection therewith; and repealing Chapter 81 of the Laws of the Eighteenth Legislative Assembly, and Sections 1619, 1620, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295 of the Revised Codes of Montana of 1921 and all Acts or parts of Acts in conflict herewith."

By Meagher and Merritt: A Bill for an Act entitled: "An Act to amend Sections 1884, 1885 and 1886 of the Revised Codes of Montana of 1921, all relating to leases and rentals of State lands."

By Lincoln: A Bill for an Act entitled: "An Act to provide for the substitution, alteration or amendment of, or addition to, the source or sources from which the lands embraced in any irrigation district are to be irrigated, or the character of the works, water rights, canals, or other property proposed to be acquired or constructed for irrigation, and for consolidation of two or more irrigation districts using or proposing to use the same general source of irrigation, or the same system of works, water rights, canals or other property, and prescribing the procedure therefor."

By Committee on Banks and Banking: A Bill for an Act entitled: "An Act to amend Section 6039 of the Revised Codes of Montana of 1921, as amended by Chapter 9 of the Laws of the Eighteenth Legislative Assembly, relating to liability of stockholders in State banks and providing means for paying and collecting said liability."

By Loble: A Bill for an Act entitled: "An Act to amend Section 8291 of the Revised Codes of Montana, 1921, as amended by Chapter 23 of the Laws of the Eighteenth Legislative Assembly of the State of Montana relating to sale or removing mortgaged property to defraud mortgagee."

By Loble and Keeley: A Bill for an Act entitled: "An Act to repeal Section 11472 of the Revised Codes of Montana, 1921, relating to the removal of waste from locomotives."

## REPORTS OF STANDING COMMITTEES

The following reports were received from Standing Committees:

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 222, introduced by Kelly and Hardcastle, respectfully report as follows: That House Bill No. 222 be referred to the Committee on Ways and Means.

DONALDSON, Chairman.

On motion of Donaldson, report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 211, introduced by Keeley, respectfully report as follows: That House Bill No. 211 do pass.

DONALDSON, Chairman.

On motion of Donaldson, report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 216, introduced by Smith of Lewis and Clark, and Nagle, respectfully report as follows: That House Bill No. 216 do pass.

DONALDSON, Chairman.

On motion of Donaldson, report adopted.

Mr. Speaker: We, your Committee on Development and Publicity, having had under consideration House Bill No. 210, introduced by the Committee on Development and Publicity, respectfully report as follows: That House Bill No. 210 do pass.

GORDON, Chairman.

On motion of Gordon, report adopted.

Mr. Speaker: We, your Committee on Development and Publicity, having had under consideration House Bill No. 220, introduced by Gordon, respectfully report that House Bill No. 220 be amended as follows:

The title. By inserting in the last line thereof immediately after the word "to," the following words "commissioners of," and that as amended House Bill No. 220 do pass.

GORDON, Chairman.

On motion of Gordon, report adopted.

Mr. Speaker: We, your Committee on Development and Publicity, having had under consideration House Bill No. 209, introduced by the Committee on Development and Publicity, respectfully report as follows: That House Bill No. 209 do pass.

GORDON, Chairman.

On motion of Gordon, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 150, introduced by Meagher and Shields, respectfully report as follows: That House Bill No. 150 do not pass.

BURNS, Chairman.

On motion of Burns, report adopted.

Mr. Speaker: We, your Committee on Banks and Banking, having had under consideration House Bill No. 225, introduced by Committee on Banks and Banking, respectfully report as follows: That House Bill No. 225 do pass.

JOHNSON, Chairman.

On motion of Johnson of Fergus, report adopted.

Mr. Speaker: We, your Committee on Banks and Banking, having had under consideration House Bill No. 226, introduced by Committee on Banks and Banking, respectfully report as follows: That House Bill No. 226 do pass.

JOHNSON, Chairman.

On motion of Johnson of Fergus, report adopted.

Mr. Speaker: We, your Committee on Banks and Banking, having had under consideration House Bill No. 227, introduced by Committee on Banks and Banking, respectfully report as follows: That House Bill No. 227 do pass.

JOHNSON, Chairman.

On motion of Johnson of Fergus, report adopted.

Mr. Speaker: We, your Committee on Banks and Banking, having had under consideration House Bill No. 228, introduced by Committee on Banks and Banking, respectfully report as follows: That House Bill No. 228 do pass.

JOHNSON, Chairman.

On motion of Johnson of Fergus, report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 192, introduced by Sales, respectfully report as follows: That House Bill No. 192 do pass.

SALES, Chairman.

On motion of Sales, report adopted.

Mr. Speaker: We, your Committee on State Boards and Officers, having had under consideration House Bill No. 174, introduced by Loble, respectfully report as follows: That House Bill No. 174 do pass.

SCHOENING, Chairman.

On motion of Schoening, report adopted.



Mr. Speaker: We, your Committee on State Boards and Officers, having had under consideration House Bill No. 151, introduced by Peat (by request), respectfully report as follows: That House Bill No. 151 do pass.

SCHOENING, Chairman.

On motion of Schoening, report adopted.

Mr. Speaker: We, your Committee on State Boards and Officers, having had under consideration House Bill No. 152, introduced by Holt, respectfully report as follows: That House Bill No. 152 do pass.

SCHOENING, Chairman.

On motion of Schoening, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 134, introduced by Ruffcorn, Burns, Waite, Schoening, Campbell, Smith, Larson, Johnson (Valley), Moss, McAfee, Holton, Strange, Graybill, Donaldson, Peterson, White, Bergstrom, Davis, Albert Johnson, Wold, Holt, respectfully report as follows: That House Bill No. 134 be amended as follows:

"By inserting in line 6 of title after "55" the following: "of Part II of the Penal Code" and also by inserting in line 24, page 3, Section 5, between the words "there" and "be" the word "shall," and by striking the word "unless" from line 24, page 3, and by striking in lines 27, 28, 29 and 30 of page 3 the following: "the magistrate must examine on oath the complainant and any witnesses he may produce to ascertain whether in his opinion a prima facie case of probable cause exists;" by striking the "period" after the word "me" in line 31, page 4, by placing after the word "me," same line, the word "at.....;" by inserting in line 18, page 8, after "55" the following: "of Part II of the Penal Code;" by inserting in line 1 of page 9, after "55" "of Part II of the Penal Code;" by inserting in line 10 of page 9, after "55" "of Part II of the Penal Code;" by striking all of Section 20 from the bill; by re-numbering Section 21 as Section 20, and by striking Section 22 from the bill, and that as amended the bill do pass.

BURNS, Chairman.

On motion of Burns, report adopted.

Mr. Speaker: We, your Committee on Agriculture, having had under consideration House Bill No. 208, introduced by the Committee on Agriculture, respectfully report as follows: That House Bill No. 208 do pass.

HANSON, Chairman.

On motion of Larson of Sheridan, report adopted.

Mr. Speaker: We, your Committee on Agriculture, having had under consideration H. B. No. 161, introduced by the Committee on Agriculture, respectfully report as follows: That H. B. No. 161, be amended as follows:

Section 2. By inserting in line 2, of Section 2, after the word "expert" the words, "who shall have had at least three (3) years experience in the manufacture and erecting of scales," and as amended, that House Bill No. 161 do pass.

HANSON, Chairman.

On motion of Hanson, report adopted.

Mr. Speaker: We, your Committee on Banks and Banking, having had under consideration House Bill No. 224, introduced by Committee on Banks and Banking, respectfully report as follows: That House Bill No. 224 be amended as follows to-wit:

On page 1, after the word "stock" in line 17, add the following words, "and thereafter five per cent until its surplus equals its capital," and thus amended that said bill do pass.

JOHNSON, Chairman.

On motion of Johnson of Fergus, report adopted.

## INTRODUCTION OF BILLS AND MEMORIALS

House Bill No. 235, introduced by Loble and Keeley: "A Bill for an Act entitled: "An Act to repeal Section 11310 of the Revised Codes of Montana, 1921, relating to selling of top pistols." Referred to Committee on Public Safety.

House Bill No. 236, introduced by Rice: A Bill for an Act entitled: "An Act providing for the levy and collection of the per capita taxes known as the special road tax and the special poor tax, prescribing the method of levying and collecting the same and the liability of employers in connection therewith; and repealing Chapter 81 of the Laws of the Eighteenth Legislative Assembly, and Sections 1619, 1620, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295 of the Revised Codes of Montana of 1921 and all Acts or Parts of Acts in conflict herewith." Referred to Committee on Ways and Means.

House Bill No. 237, introduced by Fairgrieve, Budas, Higham: A Bill for an Act entitled: "An Act appropriating money to reimburse the heirs of Tony Early for loss of interest on payment made to the State Board of Land Commissioners for purchase of lands and loss of improvements on said lands to which the State of Montana was unable to give patent and from which said Tony Early as such purchaser was subsequently ejected." Referred to Committee on Appropriations.

House Bill No. 238, introduced by Committee on Revenue and Taxation: A Bill for an Act entitled: "An Act to amend Sections 2322, 2323, 2333, and 2334 of Chapter 182, Revised Codes of Montana, 1921, relative to penalty for failure to pay coal miners' and dealers' license tax, creating a lien therefor, and procedure to determine and collect tax on failure of statement to State Treasurer." Referred to Committee on Revenue and Taxation.

House Bill No. 239, introduced by Committee on Revenue and Taxation: A Bill for an Act entitled: "An Act to amend Sections 2362, 2363, 2373, and 2374 of Chapter 184, Revised Codes of Montana, 1921, relative to penalty for failure to pay cement producers' and dealers' license tax, creating a lien therefor, and procedure to determine and collect such tax on failure of statement to State Treasurer." Referred to Committee on Revenue and Taxation.

House Bill No. 240, introduced by Committee on Revenue and Taxation: A Bill for an Act entitled: "An Act to amend Sections 2388 and 2389 of Chapter 185, Revised Codes of Montana, 1921, relative to penalty for failure to pay gasoline distributors' and dealers' license tax, creating a lien therefor, and procedure to determine and collect such tax on failure of statement to State Treasurer." Referred to Committee on Revenue and Taxation.

House Bill No. 241, introduced by Committee on Revenue and Taxation: A Bill for an Act entitled: "An Act to amend Sections 2399, 2404 and 2405 of Chapter 67, Session Laws of 1923, relative to time of payment of oil producers' license tax, fixing penalty for failure to pay, creating a lien therefor, and procedure to determine and collect such tax on failure of statement to State Treasurer." Referred to Committee on Revenue and Taxation.

House Bill No. 242, introduced by Loble: A Bill for an Act entitled: "An Act defining the term "itinerant vendor," and to regulate and to license itinerant vendors, and to fix the terms and the amount of license fees to be paid, and to provide funds for such regulation and the enforcement thereof, and to provide for their collection, and to prevent fraud, and to provide penalties for the violation of any of the terms of this Act and for other purposes, and repealing Sections 2421 to 2428 inclusive of the Revised Codes of Montana of 1921." Referred to Committee on Improvements and Manufacturing.

House Bill No. 243, introduced by Committee on Banks and Banking: A Bill for an Act entitled: "An Act amending Section 6070 of the Revised Codes of Montana of 1921, relating to the creation of the State Banking Department and to the appointment of a superintendent of banks and his deputies, fixing their terms of office and salary." Referred to Committee on Banks and Banking.

The Committee on Enrolling reported as follows:

Mr. Speaker. We, your Committee on Enrolling, beg leave to report the following bill correctly enrolled:

House Memorial No. 1.

J. H. McAFEE, Chairman.

### MOTIONS AND RESOLUTIONS

Moved by Anderson, duly seconded and carried, that House Bill No. 58 be taken from Committee on Boards and Public Officers and placed with Committee on Ways and Means.

Moved by Troy, duly seconded, that House reconsider its action of yesterday on House Bill No. 196.

Question arising on motion by Troy, same failed.

Moved by McCarty, duly seconded and carried, that House Bill No. 6 be placed at the top of the list of General Orders.

The Speaker gave notice that he was about to sign House Memorial No. 1, and thereupon signed the same.

Moved by Ruffcorn, duly seconded and carried, that House adjourn until 1:00 P. M., Monday, February 2, 1925.

R. C. BRICKER, Speaker.

Attest: H. J. FAUST, Chief Clerk.

### TWENTY-NINTH DAY

House of Representatives,  
Helena, Montana, February 2, 1925.

House met pursuant to adjournment at 1:00 P. M.

Mr. Speaker in the chair.

Prayer by the Chaplain.

On roll call all present except: Dellwo, excused until Tuesday; McCarty, excused; Fletcher, excused on account of sickness; and Parkin and Wold, absent.

The Journal Committee reported as follows:

Mr. Speaker: We, your Committee on Journal, have this day examined the Journal for the 27th Legislative day and found the same correct.

PEARL I. SMITH, Chairman.

On motion of Smith, report adopted.

The Committee on Printing reported as follows:

Mr. Speaker: We, your Committee on Printing, beg leave to report the following bills correctly printed:

Nos. 167, 197, 95, 194, 227, 214, 208, 216, 105, 108, 202, 160, 136, 77, 186, 191, 226, 119.

FRED W. ZEH, Chairman.

### NOTICES

Authors gave notice that they will on tomorrow or some subsequent day introduce bills as follows:



By Burns, Castles, Throssel, Leavens, Andrus, Anderson, Patterson, Graybill, Beadle, White: A Bill for an Act entitled: "An Act to amend Section 1401 of the Revised Codes of Montana of 1921, relating to exemptions from jury duty and poll tax of members of the National Guard and organized reserves of the National Guard and Army of the United States, and all persons receiving compensation for disability received while serving with the United States army during the World War."

By Ainsworth: A Bill for an Act entitled: "An Act to amend Section 2056 of the Revised Codes of Montana of 1921, relating to County Assessor's present ownership books and repealing all Acts and parts of Acts in conflict herewith."

By Campbell: A Bill for an Act entitled: "An Act to amend Section 10336 of the Revised Codes of Montana of 1921, relating to persons in certain relations being examined as witnesses."

By Committee on Irrigation and Water Rights: A Bill for an Act entitled: "An Act regulating the imposing of special charges upon property situated within special improvement districts, irrigation districts and drainage districts."

By Committee on Irrigation and Water Rights: A Bill for an Act entitled: "A Bill for an Act relating to irrigation districts, and amending and re-enacting Section 7234, Revised Codes of Montana, 1921, as amended by the Laws of the Eighteenth Legislative Assembly of the State of Montana, relating to the distribution of costs on the lands within the district."

By Cusick by request: A Bill for an Act entitled: "An Act to amend Section 4468 of the Revised Codes of Montana of 1921, relating to the organization of new townships."

By Cusick by request: A Bill for an Act entitled: "An Act to amend Subdivision 2 of Section 4465 of the Revised Codes of Montana of 1921, relating to general powers of Boards of County Commissioners."

By White, Hoffman, Rupert, Donaldson, Reed, Flynn, Cusick, Zeh, Rice, Graybill, Flachsenhar, Elmer Johnson, Hawley, Akofer, Kinville, Fairgrieve, Budas, Duncan, Throssel, Andrus, Clarke, Davis, Keeley, Bergstrom, Tinsley, Fitzgerald and Beadle: A Bill for an Act entitled: "An Act to amend Section 4978 of the Revised Codes of Montana, 1921, with reference to extension of the corporate limits of cities of the first, second and third classes to include contiguous land."

By James T. Fitzgerald: A Bill for an Act entitled: "An Act to prohibit the withdrawal, defacing or erasing of the names or signatures of persons to or upon the petition for the referendum provided for by Section 99 of the Political Code, Revised Codes of Montana, 1921; the petition for the initiative provided for by Section 100 of the Political Code, Revised Codes of Montana, 1921; or any other petition in lieu thereof as provided for by Section 101 of the Political Code, Revised Codes of Montana, 1921, or any exhibits or parts or portions attached thereto; and providing a penalty for the violation thereof."

By Hanson: A Bill for an Act entitled: "An Act establishing and defining the boundary lines of Daniels County of the State of Montana, and repealing all Acts or parts of Acts in conflict herewith."

## REPORTS OF STANDING COMMITTEES

The following reports from standing committees were received:

Mr. Speaker: We, your Committee on Livestock and Public Ranges, having had under consideration House Bill No. 221, introduced by Fitzgerald and Strange, a Bill for an Act entitled: "An Act to repeal Section 3320 of the Revised Codes of Montana of 1921, relating to fees of officers making inspection of horses," respectfully report as follows: That House Bill No. 221 do not pass.

LEAVENS, Chairman.

On motion of Johnson of Valley, report adopted.

Mr. Speaker: We, your Committee on Livestock and Public Ranges, having had under consideration House Bill No. 233, introduced by Keeley, a Bill for an Act entitled: "An Act to prohibit wilful sheep trespasses and providing penalties therefor," respectfully report as follows: That House Bill No. 233 do not pass.

LEAVENS, Chairman.

On motion of Harris, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 217, introduced by Loble and Keeley, a Bill for an Act entitled: "An Act to repeal Section 11471 of the Revised Codes of Montana, 1921, relating to the punishment of offenses that heretofore were crimes," respectfully report as follows: That House Bill No. 217 do not pass.

BURNS, Chairman.

On motion of Burns, report adopted.

### INTRODUCTION OF BILLS AND MEMORIALS

The following bills were introduced, read first and second times by title only, and referred to committees as follows:

House Bill No. 244, introduced by Tinsley: A Bill for an Act entitled: "An Act to appropriate money for the payment to School District No. 7 of Madison County, Montana, for expenses incurred and being incurred in furnishing high school training and education to state charges and inmates of the State Orphans' Home." Referred to Appropriations Committee.

House Bill No. 245, introduced by Wuerthner: A Bill for an Act entitled: "An Act to amend Section 1855 of the Revised Codes of Montana, 1921, relating to the sale or lease of State lands." Referred to State Lands.

House Bill No. 246, introduced by Masters: A Bill for an Act entitled: "An Act to amend Section 3379 and to repeal Section 3386, Revised Codes of Montana, 1921, relating to trespassing animals." Referred to Livestock and Public Ranges.

House Bill No. 247, introduced by Committee on Banks and Banking: A Bill for an Act entitled: "An Act to amend Section 6039 of the Revised Codes of Montana of 1921, as amended by Chapter 9 of the Laws of the Eighteenth Legislative Assembly, relating to liability of stockholders in state banks and providing means for paying and collecting said liability." Referred to Banks and Banking.

House Bill No. 248, introduced by Meagher and Merritt: A Bill for an Act entitled: "An Act to amend Sections 1884, 1885 and 1886 of the Revised Codes of Montana of 1921, all relating to leases and rentals of State lands." Referred to State Lands.

House Bill No. 249, introduced by Burns and Castles: A Bill for an Act entitled: "An Act to amend Section 6575, Revised Codes of Montana, 1921, relating to the classes of persons or property which may be transported free or at reduced rates by including therein provision for the executive or secretarial officers of mercantile or promotion boards or bodies, or commercial clubs within the state when traveling in the performance of duties affecting the advancement of the business of such boards or bodies." Referred to Railroads and Transportation.

House Bill No. 250, introduced by Loble and Keeley: A Bill for an Act entitled: "An Act to repeal Section 11472 of the Revised Codes of Montana, 1921, relating to the removal of waste from locomotives." Referred to Railroads and Transportation.

### CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

Moved by Ruffcorn, duly seconded and carried, that messages from Senate be considered read at length and the Journal so show.

The following messages were received from the Senate:



Helena, Montana, January 30, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Standing Committees have this day made the following reports:

Committee on Finance and Claims report that H. B. No. 81, by Rice, be concurred in: That H. B. No. 124 be concurred in.

Committee on Taxation report that H. B. No. 34 be concurred in.

Committee on Counties and Towns report that H. B. No. 80 be concurred in.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, January 30, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following bills were this day introduced and referred to the Standing Committees:

S. B. No. 55, by Greenup: A Bill for an Act entitled: "An Act to provide for the submission to the qualified electors of the State of Montana an amendment to Article XII of the Constitution of the State of Montana, relating to revenue and taxation by adding a new section thereto providing for the levying of taxes for the purpose of insuring growing crops against loss or damage by hail." Referred to Committee on Constitutional Amendments.

S. B. No. 56, by Smith: "An Act to amend Section 618 of the Revised Codes of Montana of 1921, relating to when and where certificates of nomination to state, county and municipal offices must be filed, and providing that the provisions of this Act shall not be held to apply to nominations for special elections to fill vacancies." Referred to Committee on Privileges and Elections.

S. B. No. 57, by Committee on Banks and Banking: A Bill for an Act entitled: "An Act to amend Section 6108 of the Revised Codes of Montana, relative to the liability of banks on negotiable instruments forwarded for collection." Referred to Printing Committee.

S. B. No. 58, by Oliver: A Bill for an Act entitled: "An Act to amend Section 2392 of the Revised Codes of Montana, 1921, as amended by Section 3 of Chapter 150 of the Session Laws of the Eighteenth Legislative Assembly, relating to the distribution of monies received from the gasoline license taxes." Referred to Committee on Taxation.

S. B. No. 59, by Oliver, Peck, Brownlee, Survant, Delaney, Pomeroy, Church, Peterson, Linn, Speer, Cowan and Hazelbaker: A Bill for an Act entitled: "An Act to provide for the nomination of candidates for office, to regulate the calling and holding of primary meetings and county and state conventions for the purpose of nominating such candidates, to prescribe the manner of making independent nominations by petitions, to impose penalties for violations of this Act and to repeal Chapters 52 and 53, being Sections 631 to 676, both inclusive, of the Revised Codes of Montana, 1921, and all other Acts and parts of Acts in conflict herewith." Referred to Committee on Privileges and Elections.

S. B. No. 60, by Committee on Finance and Claims: A Bill for an Act entitled: "An Act authorizing the establishment of fiscal agencies for the payment of bonds and bond interest coupons which are issued by the State of Montana and all counties, cities, towns, school districts, irrigation districts or drainage districts of the State of Montana; prescribing the regulations to govern the same, and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Printing.

Respectfully,

J. F. CONE, Secretary of Senate.



Helena, Montana, January 30, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Joint Memorial and House Bills were this day read first and second time and referred to the Standing Committees:

H. J. M. No. 2—Federal Relations.

H. B. No. 14—Judiciary.

H. B. No. 23—Taxation.

H. B. No. 49—Highway.

H. B. No. 64—Judiciary.

H. B. No. 110—Judiciary.

H. B. No. 111—Judiciary.

H. B. No. 112—Judiciary.

H. B. No. 122—Judiciary.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, January 30, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that on motion H. B. No. 3 was taken from General File and re-referred to Committee on Finance and Claims.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, January 30, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Counties and Towns report that H. B. No. 45, by Ainsworth, be re-referred to the Committee on Judiciary as the committee considers it conflicts with Section 39 of Article 5 of the Constitution. Report adopted.

Respectfully,

J. F. CONE, Secretary of Senate.

### THIRD READING OF HOUSE BILLS

House Joint Resolution No. 4, introduced by Committee on Livestock and Public Ranges, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Caplis, Castles, Clarke, Cusick, Davis, Donaldson, Duncan, Eaton, Fairgrieve, Fitzgerald, Flynn, Fox, Gordon, Graybill, Hanson, Hardcastle, Harris, Hawley, Holt, Holton, Joffray, Johnson (Valley), Keeley, Kelly, Kennedy, Kinville, Larson (Cascade), Larson (Sheridan), Lemmon, Lincoln, Masters, Miller, Moriarity, Morris, Moss, Moulton, Murphy, McAfee, McGrath, Nagle, Nelson, Nestead, Patterson, Peat, Peterson, Plank, Rice, Ruffcorn, Rupert, Ryder, Sales, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Tinsley, Troy, Walker, Walton, White, Zeh, Mr. Speaker. Total—78.

Noes: None.

Absent and not voting: Dellwo, Doran, Fitzgarrald, Flachsenhar, Fletcher, Green, Hedrick, Higham, Hoffman, Johnson (Fergus), Larsen (Sheridan), Leavens, Loble, Meagher, Merritt, Mulholland, McCarty, Parkin, Plumer, Reed, Waite, Wold, Wuerthner. Total—23.

House Bill No. 61, introduced by Hoffman, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Caplis, Castles, Clarke, Cusick, Davis, Donaldson, Duncan, Eaton, Fairgrieve, Fitzgerald, Flynn, Fox,

Gordon, Graybill, Hanson, Hardcastle, Harris, Hawley, Holt, Holton, Joffray, Johnson (Valley), Keeley, Kelly, Kennedy, Kinville, Larson (Cascade), Larson (Sheridan), Lemmon, Lincoln, Masters, Miller, Moriarity, Morris, Moss, Moulton, Murphy, McAfee, McGrath, Nagle, Nelson, Nelstead, Peat, Peterson, Plank, Ruffcorn, Rupert, Ryder, Sales, Schoening, Shields, Smith (Lewis and Clark), Steeves, Stoddard, Strange, Throssel, Tinsley, Walker, Walton, White, Zeh, Mr. Speaker. Total—73.

Noes: Meagher, Patterson, Rice, Troy. Total—4.

Absent and not voting: Ainsworth, Dellwo, Doran, Fitzgarrald, Flachsenhar, Fletcher, Green, Hedrick, Higham, Hoffman, Johnson (Fergus), Larsen (Sheridan), Leavens, Loble, Merritt, Mulholland, McCarty, Parkin, Plumer, Reed, Smith (Beaverhead), Waite, Wold, Wuerthner. Total—24.

House Bill No. 96, by Castles, Moss, Zeh, Campbell, Peat, Dellwo, Besancon, Miller, Cusick, Lincoln, Fitzgarrald, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Caplis, Castles, Clarke, Cusick, Davis, Donaldson, Doran, Duncan, Fairgrieve, Fitzgerald, Flynn, Fox, Gordon, Graybill, Hardcastle, Harris, Hawley, Hoffman, Holton, Joffray, Johnson (Valley), Keeley, Kennedy, Kinville, Larson (Cascade), Larson (Sheridan), Lemmon, Lincoln, Masters, Meagher, Miller, Moriarity, Morris, Moss, Moulton, Murphy, McAfee, McGrath, Nagle, Nelstead, Patterson, Peat, Peterson, Plank, Rice, Ruffcorn, Rupert, Ryder, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Tinsley, Troy, Walker, Walton, Zeh, Nelson, Mr. Speaker. Total—75.

Noes: Sales. Total—1.

Absent and not voting: Dellwo, Eaton, Fitzgarrald, Flachsenhar, Fletcher, Green, Hanson, Hedrick, Higham, Holt, Johnson (Fergus), Kelly, Larsen (Sheridan), Leavens, Loble, Merritt, Mulholland, McCarty, Parkin, Plumer, Reed, Waite, White, Wold, Wuerthner. Total—25.

House Bill No. 106, introduced by Flynn and White, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Caplis, Castles, Clarke, Cusick, Davis, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgerald, Flynn, Fox, Gordon, Graybill, Hanson, Hardcastle, Harris, Hawley, Holt, Holton, Joffray, Johnson (Valley), Keeley, Kelly, Kennedy, Kinville, Larson (Sheridan), Larson (Cascade), Lemmon, Lincoln, Masters, Meagher, Miller, Moriarity, Morris, Moss, Moulton, Murphy, McGrath, Nagle, Nelson, Nelstead, Patterson, Peat, Peterson, Plank, Rice, Ruffcorn, Rupert, Ryder, Schoening, Shields, Smith (Lewis and Clark), Steeves, Stoddard, Strange, Throssel, Tinsley, Troy, Walker, Walton, White, Zeh, Mr. Speaker. Total—77.

Noes: Hoffman, Sales, Smith (Beaverhead). Total—3.

Absent and not voting: Dellwo, Fitzgarrald, Flachsenhar, Fletcher, Green, Hedrick, Higham, Johnson (Fergus), Larsen (Sheridan), Leavens, Loble, Merritt, Mulholland, McAfee, McCarty, Parkin, Plumer, Reed, Waite, Wold, Wuerthner. Total—21.

House Bill No. 107, introduced by Fairgrieve, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Caplis, Castles, Clarke, Cusick, Davis, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgerald, Flynn, Fox, Gordon, Graybill, Hanson, Hardcastle, Harris, Hawley, Hoffman, Holt, Joffray, Johnson (Valley), Keeley, Kelly, Kennedy, Kinville, Larson (Cascade), Larson (Sheridan), Lemmon, Lincoln, Masters, Meagher, Miller, Moriarity, Morris, Moulton, Murphy, McAfee, McGrath, Nagle, Nelson,

Nelstead, Patterson, Peat, Peterson, Plank, Rice, Ruffcorn, Rupert, Ryder, Sales, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Tinsley, Troy, Walker, Walton, White, Wuerthner, Zeh, Holton, Mr. Speaker. Total—81.

Noes: None.

Absent and not voting: Andrus, Dellwo, Fitzgarrald, Flachsenhar, Fletcher, Green, Hedrick, Higham, Johnson (Fergus), Larsen (Sheridan), Leavens, Loble, Merritt, Mulholland, McCarty, Parkin, Plumer, Reed, Waite, Wold. Total—20.

House Bill No. 137, by Kelly, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Beadle, Bergstrom, Berryman, Brandt, Budas, Burns, Campbell, Caplis, Castles, Clarke, Cusick, Davis, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgerald, Flynn, Fox, Gordon, Graybill, Hanson, Harcastle, Harris, Hawley, Hoffman, Holt, Holton, Joffray, Johnson (Valley), Keeley, Kelly, Kennedy, Kinville, Larson (Cascade), Larson (Sheridan), Lemmon, Lincoln, Masters, Meagher, Miller, Moriarity, Morris, Moss, Moulton, Murphy, McAfee, McGrath, Nagle, Nelson, Nelstead, Patterson, Peat, Peterson, Plank, Reed, Rice, Ruffcorn, Rupert, Ryder, Sales, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Tinsley, Troy, Walker, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—80.

Noes: None.

Absent and not voting: Andrus, Besancon, Dellwo, Fitzgarrald, Flachsenhar, Fletcher, Green, Hedrick, Higham, Johnson (Fergus), Larsen (Sheridan), Leavens, Loble, Merritt, Mulholland, McCarty, Parkin, Plumer, Shields, Waite, Wold. Total—21.

House Bill No. 154, introduced by Joffray, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Caplis, Castles, Clarke, Cusick, Davis, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgerald, Fox, Gordon, Graybill, Hanson, Harcastle, Harris, Hawley, Hoffman, Holt, Holton, Joffray, Johnson (Valley), Keeley, Kelly, Kennedy, Kinville, Larson (Cascade), Larson (Sheridan), Lemmon, Lincoln, Meagher, Merritt, Miller, Moriarity, Morris, Moss, Moulton, Murphy, McAfee, McGrath, Nagle, Nelson, Nelstead, Patterson, Peat, Peterson, Plank, Reed, Rice, Ruffcorn, Ryder, Sales, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Troy, Walker, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—79.

Noes: Tinsley. Total—1.

Absent and not voting: Andrus, Dellwo, Fitzgarrald, Flachsenhar, Fletcher, Flynn, Green, Hedrick, Higham, Johnson (Fergus), Larsen (Sheridan), Leavens, Loble, Masters, Mulholland, McCarty, Parkin, Plumer, Rupert, Waite, Wold. Total—21.

House Bill No. 171, introduced by Duncan, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Caplis, Castles, Clarke, Cusick, Davis, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgerald, Fox, Gordon, Graybill, Harcastle, Harris, Hawley, Hoffman, Holt, Holton, Joffray, Johnson (Valley), Keeley, Kennedy, Kinville, Larson (Cascade), Larson (Sheridan), Lemmon, Lincoln, Masters, Meagher, Miller, Moriarity, Morris, Moss, Murphy, McAfee, McGrath, Nagle, Nelson, Nelstead, Patterson, Peat, Peterson, Plank, Reed, Rice, Ruffcorn, Rupert, Ryder, Sales, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Tinsley, Troy, Walker, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—79.

Noes: None.



Absent and not voting: Dellwo, Fitzgarrauld, Flachsenhar, Fletcher, Flynn, Green, Hanson, Hedrick, Higham, Johnson (Fergus), Kelly, Larsen (Sheridan), Leavens, Loble, Merritt, Moulton, Mulholland, McCarty, Parkin, Plumer, Waite, Wold. Total—22.

House Bill No. 42, introduced by Fairgrieve, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Anderson, Andrus, Beadle, Bergstrom, Berryman, Brandt, Budas, Caplis, Clarke, Davis, Donaldson, Eaton, Fairgrieve, Fitzgerald, Fox, Gordon, Graybill, Hanson, Harris, Hawley, Hoffman, Holt, Holton, Joffray, Johnson (Valley), Kelly, Kennedy, Kinville, Larson (Sheridan), Lemmon, Masters, Meagher, Morris, Moss, Murphy, McAfee, Nagle, Reed, Rice, Ruffcorn, Rupert, Ryder, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Strange, Throssel, Wuerthner, Zeh, Mr. Speaker. Total—53.

Noes: Akofer, Besancon, Burns, Campbell, Castles, Cusick, Doran, Duncan, Harcastle, Keeley, Larson (Cascade), Lincoln, Miller, Moriarity, Moulton, McGrath, Nelson, Nelstead, Patterson, Peat, Peterson, Plank, Sales, Stoddard, Tinsley, Troy, Walker, Walton, White. Total—29.

Absent and not voting: Dellwo, Fitzgarrauld, Flachsenhar, Fletcher, Flynn, Green, Hedrick, Higham, Johnson (Fergus), Larsen (Sheridan), Leavens, Loble, Merritt, Mulholland, McCarty, Parkin, Plumer, Waite, Wold. Total—19.

House Bill No. 68, introduced by Ainsworth, having been read three several times, title and history agreed to, was killed by the following vote:

Ayes: Ainsworth, Anderson, Andrus, Budas, Burns, Castles, Clarke, Donaldson, Duncan, Fairgrieve, Fitzgarrauld, Graybill, Higham, Hoffman, Holt, Larson (Sheridan), Leavens, Lincoln, Moss, Patterson, Plank, Reed, Rice, Ryder, Schoening, Strange, Throssel, White, Wuerthner, Zeh. Total—30.

Noes: Akofer, Beadle, Bergstrom, Berryman, Besancon, Brandt, Caplis, Cusick, Davis, Doran, Eaton, Fitzgerald, Flynn, Fox, Gordan, Green, Hanson, Harcastle, Harris, Hawley, Hedrick, Holton, Joffray, Johnson (Valley), Keeley, Kelly, Kennedy, Kinville, Larson (Cascade), Lemmon, Loble, Masters, Meagher, Miller, Moriarity, Morris, Moulton, Mulholland, Murphy, McGrath, Nagle, Nelson, Nelstead, Peat, Peterson, Plumer, Ruffcorn, Rupert, Sales, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Tinsley, Waite, Walker, Walton, Mr. Speaker. Total—59.

Present and not voting: Larsen (Sheridan). Total—1.

Absent and not voting: Campbell, Dellwo, Flachsenhar, Fletcher, Johnson (Fergus), Merritt, McAfee, McCarty, Parkin, Troy, Wold. Total—11.

House Bill No. 169, introduced by McAfee, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Caplis, Castles, Clarke, Cusick, Davis, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrauld, Fitzgerald, Flachsenhar, Flynn, Fox, Gordon, Graybill, Green, Hanson, Harcastle, Harris, Hawley, Hedrick, Higham, Hoffman, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kennedy, Kinville, Larson (Cascade), Larson (Sheridan), Leavens, Lemmon, Lincoln, Loble, Masters, Meagher, Miller, Moriarity, Morris, Moss, Moulton, Mulholland, Murphy, McAfee, McGrath, Nagle, Nelson, Nelstead, Patterson, Peat, Peterson, Plank, Plumer, Reed, Rice, Ruffcorn, Rupert, Sales, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Tinsley, Waite, Walker, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—90.

Noes: None.

Absent and not voting: Campbell, Dellwo, Fletcher, Holt, Larsen (Sheridan), Merritt, McCarty, Parkin, Ryder, Troy, Wold. Total—11.

There being no objections House reverted to Order of Business No. 2:

## NOTICES

Authors gave notice that they will on tomorrow or some subsequent day introduce bills as follows:

By Moss, McAfee, Lincoln, Cusick: A Bill for an Act entitled: "An Act detaching certain territory from the County of Lake and annexing the same to the County of Flathead and establishing and defining the boundary line between said counties.

By Loble and Keeley: A Bill for an Act entitled: "An Act to repeal Section 11259 of the Revised Codes of Montana, 1921, relating to selling firearms to an Indian."

## MOTIONS AND RESOLUTIONS

Moved by Ruffcorn, duly seconded and carried, that House Bill No. 20 be recalled from the Senate.

## CONSIDERATION OF GENERAL ORDERS

Moved by Ruffcorn, duly seconded and carried, that House resolve itself into Committee of the Whole for Consideration of General Orders.

Mr. Nelson in the chair.

Committee arose.

Mr. Speaker in the chair.

The Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bills No. 6, 141, 56, 59, 126, 133, 146, 149, 153, 163, respectfully report as follows: That House Bill No. 6, be amended as follows:

Section 1. By striking out in line 7 the word "penitentiary" and inserting in lieu thereof the word "prison" and by striking out in line 14 the word "penitentiary" and substituting in lieu thereof the word "prison." Also by adding the letter "s" in the word Section in line 18, making such word plural.

And that as amended, House Bill No. 6 do pass.

That House Bill No. 141 be re-referred to Committee on Public Sanitation and Public Health.

That House Bill No. 56 be amended as follows:

Section 1. By adding in line 18 after the word "attends" the words "unless any child resides on any established consolidated route."

And that as amended, House Bill No. 56 do pass.

That House Bill No. 59 do pass for time being.

That House Bill No. 126 be amended as follows:

Title of House Bill No. 126 to read as follows: A Bill for an Act entitled: "An Act to amend Section 270, Chapter 18, Revised Codes of Montana, 1921, authorizing State Board of Examiners to invest special funds in General Fund Warrants."

And that as amended, House Bill No. 126 do pass.

That House Bill No. 133 do pass.

That in House Bill No. 146 the enacting clause be stricken out.

That House Bill No. 149 do pass.

That House Bill No. 153 do pass.

That House Bill No. 163 be amended as follows:

The title. By striking out the figures "7159a" following figures "7140" in the first line of the title and adding to the title the words "providing that nothing herein shall be construed to impair the obligation of any existing mortgage, judgment or other lien now of record." By adding after the word "land" the words "prior to all other liens except taxes."

Section 2. By striking out in line 11 the following words after the word "land" the words "prior to any mortgage or other lien thereon except taxes."

Section 3. By striking out in line 11 after the word "land" the words "prior to any lien thereon except taxes."

Section 7. By striking out in line 11 the words, after the word "be," "prior to any mortgage or other lien thereon except taxes."

Section 8. By inserting at the beginning of line 3, "Section 7159A."

By adding a new section to be known as Section 10. This Act shall be in full force and effect from and after its passage and approval.

And that as so amended, House Bill No. 163 do pass.

BEN NELSON, Chairman.

Moved by Nelson, duly seconded, that report of Committee of the Whole be adopted.

Moved by Larsen of Sheridan, duly seconded, as substitute motion, that House Bill No. 146 be segregated from the report of the Committee of the Whole.

Question arising on substitute motion to segregate House Bill No. 146, roll call having been demanded, motion is lost by the following:

Ayes: Akofer, Anderson, Andrus, Beadle, Brandt, Caplis, Clarke, Cusick, Doran, Fitzgerald, Flynn, Graybill, Green, Holt, Joffray, Kinville, Larsen (Sheridan), Larson (Sheridan), Lemmon, Lincoln, Loble, Meagher, Morris, Mulholland, Murphy, McGrath, Nagle, Plank, Plumer, Rice, Rupert, Sales, Shields, Smith (Lewis and Clarke), Tinsley, Troy, Walker. Total—37.

Noes: Ainsworth, Besancon, Budas, Burns, Campbell, Castles, Donaldson, Duncan, Eaton, Fairgrieve, Fitzgarrald, Flachsenhar, Fox, Gordon, Hanson, Hardcastle, Harris, Hawley, Hedrick, Higham, Hoffman, Johnson (Fergus), Johnson (Valley), Kennedy, Larson (Cascade), Leavens, Masters, Miller, Moriarity, Moss, Moulton, McAfee, Nelson, Nelstead, Patterson, Peat, Peterson, Reed, Ruffcorn, Ryder, Schoening, Smith (Beaverhead), Steeves, Strange, Throssel, Waite, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—51.

Absent and not voting: Bergstrom, Berryman, Davis, Dellwo, Fletcher, Holton, Keeley, Kelly, Merritt, McCarty, Parkin, Stoddard, Wold. Total—13.

Question arising on original motion that report be adopted; same carried.

Moved by Ruffcorn, duly seconded and carried, that House adjourn until 10:00 A. M., Tuesday, February 3, 1925.

R. C. BRICKER, Speaker.

Attest: H. J. FAUST, Chief Clerk.

## THIRTIETH DAY

House of Representatives,  
Helena, Montana, February 3, 1925.

House met pursuant to adjournment at 10:00 A. M.

Mr. Speaker in the chair.

Prayer by the Chaplain.

On roll call all present except: Morris and McGrath, excused on account of sickness; and Merritt, absent.

The Journal Committee reported as follows:

Mr. Speaker: We, your Committee on Journal, have this day examined the Journal for the Twenty-ninth Legislative day and found the same correct.

PEARL I. SMITH, Chairman.

On motion of Smith, report adopted.



The Enrolling Committee reported as follows:

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bill correctly enrolled.

House Memorial No. 2

McAFEE, Chairman.

### NOTICES

Authors gave notice that they will on tomorrow or some subsequent day introduce bills as follows:

By Besancon: A Bill for an Act entitled: "An Act to amend Section 145 of the Montana Revised Codes of 1921, relating to the fees charged by the Secretary of State."

By Flachsenhar: A Bill for an Act entitled: "An Act to provide that no candidate for an office at a primary nominating election shall be nominated on any other ticket than the party ticket named in his nominating petition; prohibiting the counting of votes for such candidate on any other party ticket; and providing for the nomination of the person receiving the next highest number of votes on such party ticket."

By Donaldson and Morris: A Bill for an Act entitled: "An Act to appropriate money for the payment of the claim of the estate of Bradley E. Kenney, otherwise E. K. Bradley, now deceased, for the proceeds of beef cattle shipped to market by him while insane, the proceeds of which came into the estray fund of the State and was transferred to the Livestock Commission fund and used for operation expense."

By Donaldson: A Bill for an Act entitled: "An Act to amend Section 1215, Revised Codes of Montana, 1921, as amended by Chapter 14, Session Laws, 1923, relating to reports to County Superintendents of Schools of valuation of school districts."

By Smith of Lewis and Clark: A Bill for an Act entitled: "An Act to amend Section 9429 of the Revised Codes of Montana, 1921, relating to exemptions of earnings from execution, garnishment, or attachment."

By Smith of Lewis and Clark: A Bill for an Act entitled: "An Act prescribing and defining the duties and powers of the State Engineer in connection with the adjudication and administartion of the water right laws of the State of Montana, fixing his salary and that of his assistants, providing for the appointment by him of an assistant and employes, and for the appointment by him of Water Commissioners and fixing their compensation, providing for the keeping and certifying of records by the State Engineer, providing for returns to be made annually to County Assessors by water right claimants of rights claimed by them to the use of the waters of this State, and for the levying and collection of a water right license tax upon such claimed water rights, and for certain public records based upon such returns, and for presumptions of law based upon such returns, and for presumption of abandonment based upon failure of such water right claimants to make such returns, and prescribing the duties of County Assessors, County Treasurers, County Clerks and Records and the State Enigneer with reference to such returns, records and water right license taxes, and for payment of a part of such license taxes to the State Treasurer to be by him placed in a fund known as State Engineer's water right fund, from which to pay the salaries and expenses of the State Engineer, his assistant and employes, and Water Commissioners appointed by him, and providing for the adjudication of water rights upon complaint of the State Engineer filed in the District Court, and the procedure in connection therewith, and for the making of rules and regulations and orders and determinations thereunder by the State Engineer respecting the nature, extent or priority of rights and the distribution and use of water, and for appeals to the district court by parties dissatisfied with same, or with the action of said State Enigneer thereunder, and procedure in connection therewith."

By Parkin: A Bill for an Act entitled: "An Act to amend Sections 5465, 5502 and 5507 of the Revised Codes of Montana, 1921, as amended by Chapter 31 of the Eighteenth Legislative Assembly, 1923, and to amend Section 5503 of the Revised Codes of Montana, 1921, all relating to the Commission-Manager plan of government."

By Patterson, Troy, Burns, Plank, Andrus, Larsen, Keeley, Fairgrieve: A Bill for an Act entitled: "An Act to amend Sections 917, 918 and 921 of the Revised Codes of Montana, 1921, relating to the establishment and location of the Northern Montana Agricultural and Manual Training School, providing for its re-location at Havre, Montana; providing for the appointment of an executive board for said school; prescribing the powers and duties of said board, and providing for a report by said executive board concerning the functions of said school, to be made to the Twentieth Legislative Assembly of the State of Montana."

By Loble and Keeley: A Bill for an Act entitled: "An Act to repeal Section 11511 of the Revised Codes of Montana, 1921, relating to the transportation of animals in a car or vehicle."

### REPORTS OF STANDING COMMITTEES

The following reports of Standing Committees were received:

Mr. Speaker: We, your Committee on Railroads and Transportation, having had under consideration, House Bill No. 250, introduced by Loble and Keeley, respectfully report as follows: That House Bill No. 250 do not pass.

HAWLEY, Chairman.

On motion of Hawley, report adopted.

Mr. Speaker: We, your Committee on Banks and Banking, having had under consideration House Bill No. 243, introduced by the Committee on Banks and Banking, respectfully report as follows: That House Bill No. 243 do pass.

JOHNSON, Chairman.

On motion of Johnson of Fergus, report adopted.

Mr. Speaker: We, your Committee on Fairs and Expositions, having had under consideration House Bill No. 193, introduced by Peat, Andrus, Fox, Walker, Shields, Loble, Stoddard, respectfully report as follows: That House Bill No. 193 do pass.

W. C. PEAT, Chairman.

On motion of Peat, report adopted.

Mr. Speaker: We, the majority of your Committee on Judiciary, having had under consideration House Bill No. 178, introduced by Smith of Lewis and Clark, respectfully report as follows: That House Bill No. 178 do not pass.

CAMPBELL,  
BESANCON,  
JAMES T. FITZGERALD,  
AINSWORTH,  
LEAVENS.

Mr. Speaker: We, the minority of your Committee on Judiciary, having had under consideration House Bill No. 178, introduced by Smith of Lewis and Clark, respectfully report as follows: That House Bill No. 178 do pass.

BURNS,  
SMITH of Lewis and Clark  
C. F. HOLT,  
NELSTEAD.

Moved by Compbell, duly seconded, that majority report be adopted.

Moved by Burns, as substitute motion, duly seconded, that minority report be adopted.

Question arising on substitute motion that minority report be adopted, same carried.

Mr. Speaker: We, the majority of your Committee on Banks and Banking, having had under consideration House Bill No. 2, introduced by A. T. Larsen, respectfully report as follows: That House Bill No. 2 do not pass.

LEAVENS,  
FITZGERALD of Ravalli,  
FLACHSENHAR,  
GREEN,  
HEDRICK,  
HIGHAM,  
WAITE,  
LOBLE,  
JOHNSON, Chairman.

Mr. Speaker: We, the minority of your Committee on Banks and Banking, having had under consideration House Bill No. 2, introduced by A. T. Larsen, respectfully report as follows: That House Bill No. 2 be printed and placed on General Orders.

A. J. PLUMER,  
DENNIS A. DELLWO,  
MULHOLLAND.

Moved by Johnson, duly seconded, that majority report be adopted.

Moved by Plumer, as substitute motion, duly seconded, that minority report be adopted.

Question arising on substitute motion to adopt minority report, same carried.

The Speaker gave notice that he was about to sign House Memorial No. 2 and thereupon signed the same.

We, your Committee on Livestock and Public Ranges, having had under consideration House Bill No. 140, introduced by Meagher and Merritt, respectfully report as follows: That House Bill No. 140 be amended as follows, to-wit: Page 1, line 23, after the word "dollars" strike out words "and fifty cents;" page 1, line 24, after word "dollars" strike out words "and fifty cents" and again after word "dollars" strike out words "and fifty cents;" page 1, line 28, strike out words "sixty days" and insert words "thirty days;" page 1, line 29, strike out words "including the ears thereof" and insert "exhibit entire skin or skins of said animal or animals, including the head with ears, tail and all four (4) paws;" page 3, line 12, strike out words "ninety days" and insert words "thirty days;" page 3, line 29, after word "require" strike out words "written statement" and insert "an affidavit from two;" page 3, line 21, strike out words "taxpayer" and insert the word "taxpayers;" page 3, line 31, strike out words "he is a" and insert words "they are;" same line and page strike out words "taxpayer and taxpayers" and insert a word "taxpayers;" page 3, line 32, strike out word "his" and insert word "their;" same line and page, strike out words "he is" and insert words "they are;" page 4, line 1, strike out word "his" and insert word "their;" page 4, line 4, strike out words "ninety days" and insert words "thirty days;" page 4, line 11, strike out words "written statement of taxpayer" and insert words "affidavit of taxpayers;" page 5, line 1, strike out words "written statment" and insert word "affidavit;" page 6, line 10, add after word "record" the words "County Clerks are required to send a report and statement to the Live Stock Commission on or before the twentieth of each month." Thus amended this committee recommend that this bill do pass.

LEAVENS, Chairman.

On motion of Leavens, report adopted.

Committee on Printing reported as follows:



Mr. Speaker: We, your Committee on Printing, beg leave to report the following bills correctly printed:

House Bill No. 228.

FRED W. ZEH, Chairman.

### INTRODUCTION OF BILLS AND MEMORIALS

The following bills were introduced, read first and second times by title only and referred to Committees as follows:

House Bill No. 251, introduced by Lincoln, A Bill for an Act Entitled: "An Act to provide for substitution, alteration or amendment of, or addition to, the source or sources from which the lands embraced in any irrigation district are to be irrigated, or the character of the works, water rights, canals, or other property proposed to be acquired or constructed for irrigation, and for consolidation of two or more irrigation districts using or proposing to use the same general source of irrigation, or the same system of works, water rights, canals or other property, and prescribing the procedure therefor." Referred to Irrigation and Water Rights.

House Bill No. 252, introduced by Burns, Castles, Throssel, Leavens, Andrus, Anderson, Patterson, Graybill, Beadle and White: A Bill for an Act Entitled: "An Act to amend section 1401, Revised Codes of Montana of 1921, relating to exemptions from jury duty and poll tax of members of the national guard and organized reserves of the national guard and army of the United States, and all persons receiving compensation for disability received while serving with the United States army during the world war." Referred to Committee on Military Affairs.

House Bill No. 253, introduced by Burns, A Bill for An Act Entitled: "An Act to amend and re-enact section 3956 of the Revised Codes of Montana of 1921, as amended by section 1, of chapter 147 of the session laws of the eighteenth legislative assembly relating to the procedure for organizing irrigation districts and examination and report of the public service commission thereon." Referred to Committee on Irrigation and Water Rights.

House Bill No. 254, introduced by Holt and Rice, A Bill for An Act Entitled: "An Act prescribing the procedure to effect the forfeiture of oil and gas leases." Referred to Committee on Petroleum, Oil and Gas Affairs.

House Bill No. 255, introduced by Committee on Irrigation and Water Rights, A Bill for An Act Entitled: "An Act regulating the imposing of special charges upon property situated within special improvement districts, irrigation districts and drainage districts." Referred to Committee on Irrigation and Water Rights.

House Bill No. 256, introduced by Committee on Irrigation and Water Rights, A Bill for An Act relating to irrigation districts, and amending and re-enacting section 7234 Revised Codes of Montana, 1921, as amended by the laws of the eighteenth legislative assembly of the State of Montana, relating to the distribution of costs on the lands within the district." Referred to Committee on Irrigation and Water Rights.

House Bill No. 257, introduced by Cusick, A Bill for An Act Entitled: "An Act to amend subdivision 2 of section 4465 of the Revised Codes of Montana of 1921, relating to general powers of boards of county commissioners." Referred to Committee on Townships and Counties.

House Bill No. 258, introduced by Cusick, A Bill for An Act Entitled: "An Act to amend section 4468 of the Revised Codes of Montana of 1921, relating to the organization of new townships." Referred to Committee on Townships and Counties.

House Bill No. 259, introduced by Jas. T. Fitzgerald, A Bill for An Act entitled: "An Act to prohibit the withdrawal, defacing or erasing of the names or signatures of persons to or upon the petition for the referendum provided for by section 99 of the Political Code, Revised Codes of Montana,

1921; the petition for the initiative provided for by section 100 of the Political Code, Revised Codes of Montana, 1921; or any other petition in lieu thereof as provided for by section 101 of the Political Code, Revised Codes of Montana, 1921; or any exhibits or parts or portions attached thereto; and providing a penalty for the violation thereof." Referred to Committee on Privileges and Elections.

House Bill No. 260, introduced by White, Hoffman, Rupert, Donaldson, Reed, Flynn, Cusick, Zeh, Rice, Graybill, Flachsenhar, Elmer Johnson, Hawley, Akofer, Tinsley, Kinville, Fairgrieve, Budas, Duncan, Throssel, Andrus, Clarke, Davis, Keeley, Bergstrom, Fitzgerald, Beadle, A Bill for An Act Entitled: "An Act to amend section 4978 of the Revised Codes of Montana, 1921, with reference to extension of the corporate limits of cities of the first, second and third classes to include contiguous land." Referred to Committee on Affairs of Cities.

House Bill No. 261, introduced by Loble and Keeley, "A Bill for An Act Entitled: "An Act to repeal section 11259, of the Revised Codes of Montana, 1921, relating to selling firearms to an Indian." Referred to Public Safety.

House Bill No. 262, introduced by Loble, A Bill for An Act Entitled: "An Act to amend section 8291 of the Revised Codes of Montana, 1921, as amended by chapter 23 of the laws of the 18th legislative assembly of the State of Montana, relating to sale or removing mortgaged property to defraud mortgagee." Referred to Committee on Judiciary.

### MOTIONS AND RESOLUTIONS

Moved by Strange, duly seconded and carried, that House Bill No. 163 be taken from Engrossing Committee and be referred to Title Committee.

Moved by Duncan, duly seconded and carried, that House Bill No. 203 be taken from Printing Committee and referred to Committee on Affairs of Cities.

Moved by Loble, duly seconded and carried, that bills referred to House after having been printed, be not reprinted after being amended.

At the request of Mr. Moss, there being no objections, House reverted to Order of Business No. 5:

### INTRODUCTION OF BILLS AND MEMORIALS

The following bill was introduced, read first and second times by title only and referred to Committee on New Counties and Divisions:

House Bill No. 263, introduced by Moss, McAfee, Lincoln and Cusick, A Bill for An Act entitled: "An Act detaching certain territory from the county of Lake and annexing the same to the county of Flathead and establishing and defining the boundary line between said counties." Referred to Committee on New Counties and Divisions.

At the request of Mr. Smith of Lewis and Clark, there being no objections, House reverted to Order of Business No. 2.

### NOTICES

Author gave notice that he will on tomorrow or some subsequent day introduce the following bill:

By Smith of Lewis and Clark, A Bill for An Act Entitled: "An Act to amend section 990 of the Revised Codes of Montana of 1921, relating to nomination of school trustees in districts of the first class."

### CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

Moved by Ruffcorn, duly seconded and carried, that messages from Senate be considered read at length and the Journal so show.

The following messages were received from the Senate.

Helena, Montana, February 2, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee of the Whole, having had under consideration Business on General File, report as follows:

That consideration of S. B. No. 38 be passed for the day.

That S. B. No. 18 be amended in Section 1 by adding to line 7 of the printed bill "and who actually resides on the premises" and striking out the period after "years." In Section 1 by striking out in line eight of the printed bill the word "been" and placing a comma after the word "grand-mother" in line 14, and placing a semi-colon after "sister" in line 12, and a semi-colon after "wife" in line 15, and that, as so amended, the bill do pass.

That S. B. No. 53 do pass.

That consideration of S. B. No. 54 be passed for the day.

That S. J. R. No. 5 do pass.

That H. B. No. 80 be concurred in.

That H. B. No. 81 be concurred in.

That consideration of H. B. No. 124 be passed for the day.

That H. B. No. 34 be passed for the day.

That consideration of S. B. No. 25 be passed for the day.

Report adopted.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 8, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day read first and second times and referred to the Standing Committees.

H. J. M. No. 3 Agriculture.

H. B. No. 91 Compensation.

H. B. No. 36 Agriculture.

H. B. No. 93 Elections and Privileges.

H. B. No. 143 Judiciary.

S. B. No. 61 Finance and Claims.

S. B. No. 62 Finance and Claims.

S. B. No. 63 Finance and Claims.

S. B. No. 64 Finance and Claims.

S. B. No. 65 Finance and Claims.

S. B. No. 66 Finance and Claims.

S. B. No. 67 Finance and Claims.

S. B. No. 55 Taxation.

S. B. No. 56 Privileges and Elections.

S. B. No. 57 Banks and Banking.

S. B. No. 58 Taxation.

S. B. No. 59 Privileges and Elections.

S. B. No. 60 Printing.

S. B. No. 68 Irrigation.

S. B. No. 69 Roads and Highways.

S. B. No. 70 Banks.

Respectfully,

J. F. CONE, Secretary of Senate.



Helena, Montana, February 2, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day introduced and referred to the Standing Committees:

S. B. No. 61, by Corrington and Schnitzler: A Bill for an Act entitled: "An Act authorizing the State Treasurer of the State of Montana to discontinue the carrying of the Veterans Welfare Interest and Sinking Fund and authorizing the State Treasurer to transfer all moneys in said fund to the General Fund of the State." Referred to Committee on Finance and Claims.

S. B. No. 62, by Corrington and Schnitzler: A Bill for an Act entitled: "An Act to amend Section 182 of the Revised Codes of Montana of 1921, as amended by Chapter 85 of the Laws of the Eighteenth Legislative Assembly, relating to the depositing of funds in the hands of the State Treasurer and providing for the securing of such deposits." Referred to Committee on Finance and Claims.

S. B. No. 63, by Corrington and Schnitzler: A Bill for an Act entitled: "An Act to authorize the State Treasurer of the State of Montana to discontinue the carrying of the Capitol Annex Bond Fund and to authorize the State Treasurer of the State of Montana to transfer all moneys from said fund to the Capitol Building Interest and Sinking Fund." Referred to Committee on Finance and Claims.

S. B. No. 64, by Corrington and Schnitzler: A Bill for an Act entitled: "An Act to amend Section 2645 of the Revised Codes of Montana of 1921, relating to the disposition of the fees collected by the State Board of Health." Referred to Committee on Finance and Claims.

S. B. No. 65, by Corrington and Schnitzler: A Bill for an Act entitled: "An Act to authorize the State Treasurer of the State of Montana to discontinue the carrying of the Biological Station Maintenance Fund, and authorizing the State Treasurer to transfer the money in said fund to the University interest and income fund of the State of Montana." Referred to Committee on Finance and Claims.

S. B. No. 66, by Corrington and Schnitzler: A Bill for an Act entitled: "An Act to authorize the State Treasurer of the State of Montana to discontinue the carrying of the Anti-Hog-Cholera Serum Fund, and authorizing the State Treasurer to transfer the money in said fund to the General Fund of the State of Montana." Referred to Committee on Finance and Claims.

S. B. No. 67, by Corrington and Schnitzler: A Bill for an Act entitled: "An Act to repeal Section 4208 of the Revised Codes of Montana of 1921 relating to the State Gasoline Inspection Fund and authorizing the State Treasurer to transfer the balance now therein to the General Fund." Referred to Committee on Finance and Claims.

S. B. No. 68, by Corrington: A Bill for an Act entitled: "An Act relating to irrigation districts, amending Sections 7210, 7211, 7216, 7218, and 7226 of the Revised Codes of Montana, 1921, and as amended by the Laws of the Eighteenth Legislative Assembly of the State of Montana, and making it optional with irrigation districts, organized under the provisions of Chapter 146 of the Laws of 1909 and the amendments thereto, as to whether bonds issued by such district shall be submitted to the irrigation district bond commission of the State of Montana for approval." Referred to Committee on Irrigation and Water Rights.

S. B. No. 69, by Watson: "A Bill for an Act to amend Section 1760 of the Revised Codes of Montana, 1921, as amended by Chapter 107 of the Session Laws of Montana of 1923 relating to the registration fees for motor vehicles and the disposition thereof and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Roads and Highways.

S. B. No. 70, by Committee on Banks and Banking: A Bill for an Act entitled "An Act to amend Section 6032 of the Revised Codes of Montana of 1921 relating to change of place of business and number of directors of Banks." Referred to Committee on Printing.

S. B. No. 71, by Survant: A Bill for an Act entitled: "An Act to amend Section 3170, Revised Codes of Montana 1921, relating to the sale of poisons." Referred to Committee on Sanitary Affairs.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 2, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Notices were this day given:

By Watson: "An Act to amend Section 649 of the Revised Codes of Montana of 1921, relating to the time the county clerk or city clerk shall arrange for the arrangement of ballots and notice."

By Watson: "An Act to amend Section 619 of the Revised Codes of Montana of 1921, relating to the time the Secretary of State must certify to the County Clerk names of persons nominated."

By Watson: "An Act to amend Section 648 of the Revised Codes of Montana of 1921, relating to the time the Secretary of State shall arrange for the arrangement and notice of nominations."

By Duncan, Paul, Stewart: "An Act to amend Section 273 Revised Codes of Montana, 1921, relating to the powers of the State Board of Examiners."

By Greenup: "An Act establishing and defining the boundary lines of Daniels County of the State of Montana and repealing all Acts or parts of Acts in conflict herewith."

By Schnitzler: "An Act establishing and defining the boundary lines of Roosevelt County of the State of Montana, and repealing all Acts and parts of Acts in conflict herewith."

By Cowan, Griffin, Porter, Dell, Survant, Schnitzler, Taylor, Greenup, Clark, Peterson: "An Act to amend Sections 917, 918 and 921 of the Revised Codes of Montana, 1921, relating to the establishment and location of the Northern Montana Agricultural and Manual Training School, providing for its re-location at Havre, Montana, providing for the appointment of an executive board for said school; prescribing the powers and duties of said board, and providing for a report by said executive board concerning the functions of said school, to be made to the Twentieth Legislative Assembly of the State of Montana."

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 2, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Irrigation, having had under consideration H. J. Memorial No. 1, recommend that the same be amended as per attached amendments, and as so amended, the same be concurred in. Report adopted.

Respectfully,

J. F. CONE, Secretary of Senate.

Attachment to above communication:

Committee amendment to House Joint Memorial No. 1, beg leave to report as follows:

Section 1. WHEREAS: It has been brought to the notice of the legislative body of the State of Montana that upon the Flathead project, an irrigation project being constructed and operated by the United States Indian Reclamation Service in the lower Flathead Valley, a shortage of water for irrigation purposes has existed during the past season on account of the delay in completing said project, and

WHEREAS, it is the conviction of this body that profitable crops cannot be produced upon this project without irrigation and that there

is an ample supply of water available upon the completion of said project, and

WHEREAS, farmers and business men settled upon said project almost fifteen years ago with the assurance that its works would be completed and placed in full operation without unnecessary delay, They have sacrificed from ten to fourteen years of their lives, together with capital brought in from former enterprises. They have demonstrated, with the limited supply of water at their disposal, that profitable crops can be raised, if they are assured an ample supply of water for irrigation purposes.

WHEREAS, this development and the influx of new settlers taking place at present creates a need for water for irrigation purposes which is imperative; therefore be it

RESOLVED, by the Nineteenth Legislative Assembly of the State of Montana that ordinary justice to, and a fair consideration for the right of, the farmers and business men aforesaid demand that no curtailment in construction on account of lack of funds be permitted at this time, and that sufficient money should be provided to carry on construction work upon said project in anticipation of all probable water requirements; and be it further

RESOLVED, that Congress be respectfully memorialized and petitioned, and is hereby memorialized and petitioned to appropriate not less than \$150,000.00 to be used during the current fiscal year for construction work upon the Flathead project, and that work on said project in the future be completed without any unnecessary delay, and as so amended said memorial be concurred in.

KANE, Chairman.

#### AFTERNOON SESSION

House resumed at 2:30 P. M.

Mr. Speaker in the chair.

#### REPORTS OF STANDING COMMITTEES

The following reports were received from Standing Committees:

Mr. Speaker: We, Your Committee on Irrigation and Water Rights having had under consideration House Bill No. 29, introduced by Burns, respectfully report as follows: That House Bill No. 29 do pass with title of same amended to read as follows:

A Bill for an Act Entitled: "An Act relating to the Irrigation Districts and amending and re-enacting Section 7166 of the Revised Codes of Montana of 1921 as amended by Section 1 of Chapter 157 of the Session Laws of 1923, which relates to the establishment, organization and government of Irrigation Districts; providing who may organize such districts and in what cases and requirements therefore."

Also amending Section 1, by striking out lines 17, 18, 19 and the first three words of line 20; also lines 27, 28, 29, 30 and 31; and inserting in line 35 after the word "supplies" "Accompanied by a copy of the decree of the rights in said streams from which said waters are to be diverted."

Also amending Section 1, by inserting (after the word 'district' in line 26) "provided, however, that in all irrigation districts organized in connection with United States Reclamation Projects a majority of the holders of title or evidence of title to lands sought to be included in such irrigation district under the provisions of the Act, may propose the establishment and organization of such district."

Also amending Section 3, by striking out all of Section 3.

STRANGE, Chairman.

On motion of Strange, report adopted.

Mr. Speaker: We, Your Committee on Irrigation and Water Rights having had under consideration House Bill No. 256, introduced by Com-



mittee on Irrigation and Water Rights, respectfully report as follows: That House Bill No. 256 do pass.

STRANGE, Chairman.

On motion of Strange, report adopted.

Mr. Speaker: We, Your Committee on Irrigation and Water Rights having had under consideration House Bill No. 255, introduced by Committee on Irrigation and Water Rights, respectfully report as follows: That House Bill No. 225 do pass.

STRANGE, Chairman.

On motion of Strange, report adopted.

Mr. Speaker: We, your Committee on Labor, having had under consideration House Bill No. 135, introduced by Davis, Ruffcorn, Hanson, Nelstead and Troy, respectfully report as follows: That House Bill No. 135 do not pass.

FAIRGRIEVE, Chairman.

On motion of Fairgrieve, report adopted.

Mr. Speaker: We, your Committee on Labor, having had under consideration, House Bill No. 94, introduced by Hedrick, respectfully report as follows: That House Bill No. 94, be printed and placed on General Orders.

FAIRGRIEVE, Chairman.

On motion of Fairgrieve, report adopted.

Mr. Speaker: We, your Committee on Judiciary having had under consideration House Bill No. 223, introduced by Robert Larson, respectfully report as follows: That House Bill No. 223, do not pass.

BURNS, Chairman.

Moved by Burns, duly seconded, that report be adopted.

Moved by A. T. Larsen, as substitute motion, duly seconded, that House Bill No. 223 be printed and placed on General Orders.

Question arising on substitute motion, same failed.

Question arising on original motion that report be adopted, same carried.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 40, introduced by Berryman and Nelson, respectfully report as follows: That House Bill No. 40 be amended as follows:

Section 15. The person at such sale offering to pay the amount due on each tract or lot for the least percentage thereon as penalty, shall be the purchaser of such tract or lot; provided, that no bid shall be accepted for a penalty exceeding seven per cent (7%) of the amount of such tax or special assessment.

Section 16. Every tract or lot so offered at public sale, and not sold for want of bidders, must be struck off to the County as purchaser and certificate shall be issued therefor as in other cases and delivered to the County Treasurer to be filed by him in his office; and in such case the County Treasurer must make an entry "sold to the County" on the Tax, Judgment, Sale and Redemption Record opposite the tax, and he must be credited with the amount thereof in the settlement. Upon all sales to the County the penalty for purposes of redemption shall be Seven (7%) per cent of the amount of such tax or special assessment;

Section 19. Real property sold under the provisions of this Act may be redeemed at any time before the expiration of three years from the date of sale, by payment in legal money of the United States to the County Treasurer of the proper County of the amount for which the same was sold, together with the amount of the penalty bid at such sale if redeemed at any time before the expiration of six (6) months from the date of sale;

if between six (6) and Twelve (12) months, the amount for which the same was sold together with twice the amount of the penalty bid; if between Twelve (12) and Eighteen (18) months the amount for which the same was sold together with three times the amount of the penalty bid; if between eighteen (18) and twenty-four (24) months the amount for which the same was sold together with four times the amount of the penalty bid at such sale: if between twenty-four (24) months and Thirty (30) month, the amount for which the same was sold together with five (5) times the amount of the penalty bid at such sale: and if between thirty (30) months and Three (3) years, the amount for which the same was sold together with six (6) times the amount of the penalty bid at such sale. Tenants in common, or joint tenants shall be allowed to redeem their individual interests in real property sold under the provisions of this act, in the same manner and under the terms specified in this Section for the redemption made shall inure to the benefit of the person having the legal or equitable title to the property redeemed, subject to the right of the person making the same to be reimbursed by the persons benefited.

Section 21. Hereafter no purchaser, other than the County or assignee of such purchaser, of any land, town or city lot, at any sale of lands or lots for taxes or special assessments, shall be entitled to a deed for lands or lots so purchased until the following conditions have been complied with, to-wit: Such purchaser as assignee shall serve or cause to be served, a written or printed, or partly written or partly printed notice of such purchase on every person in actual possession or occupancy of such land or lot; also the person in whose name the same was taxed or especially assessed, if upon diligent inquiry he or she can be found in the County, also the owners of record of such land or lot, including mortgagees of record, if they can upon diligent inquiry be found in the County, at least three months before the expiration of the time of redemption on such sale; in which notice he shall state when he purchased the land or lot, in whose name taxed, the description of the land or lot he has purchased, for what year taxed or especially assessed, and when the time of redemption will expire. If no person is in possession or occupancy of such land or lot and the person in whose name the same was taxed or especially assessed, and the owners and mortgagees of record, upon diligent inquiry, cannot be found in the County, then such person or his assignee shall publish such notice in some newspaper printed in such County, and if no newspaper is printed in said County, then in the newspaper that is published in this State nearest to the County Seat of the County in which such land or lot is situated, which notice shall be inserted three times, the first time not more than five months, and the last time not less than three months before the time of redemption shall expire; provided, however, that if the person in the actual occupancy is tenant to or in possession under the owner or party interested therein, then service of such notice upon such tenant or occupancy, shall be deemed service for the purpose of this Section.

Section 24. In case any person shall be compelled to publish such notice in a newspaper, then before any person who may have a right to redeem such lands or lots from such sale shall be permitted to redeem, he shall pay the officer or person who by law is authorized to receive such redemption money, the amount paid for printer's fee for publishing such notice, for the use of the person compelled to publish such notice, as aforesaid; and the redemptioner shall further pay the sum of Two Dollars Fifty Cents (\$2.50), which shall be deemed to cover the cost of examining County Records to determine the names of owners or mortgagees of record for the purpose of the notices required to be given by Section 21 of the Act.

Section 25. At any time after the expiration of three years from date of sale hereafter made of any real estate for taxes of special assessments, if the same shall not have been redeemed, the County Treasurer,

on request, and on the production of the certificate of purchase and compliance with the provisions of this Act, shall execute and deliver to the purchaser, his heirs or assigns, a deed of conveyance for the real estate described in such certificate."

And when so amended, that House Bill No. 40 do pass.

TROY, Chairman.

On motion of Troy, report adopted.

Mr. Speaker: We, your Committee on Horticulture, having had under consideration House Bill No. 200, introduced by Hoffman, respectfully report as follows: That House Bill No. 200 do pass.

McAFEE, Chairman.

On motion of McAfee, report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 168, introduced by Plumer, respectfully report as follows: That House Bill No. 168, be recommended for passage.

WOLD, Chairman.

On motion of Wold, report adopted.

There being no objections House reverted to Order of Business No. 2

### NOTICES

Authors gave notice that they will on tomorrow or some subsequent day introduce bills as follows:

By Plumer, A Bill for An Act Entitled: "An Act to amend Section 2235 Revised Codes of Montana, 1921, relating to sales property after tax title has been acquired by counties."

By Hoffman, A Bill for An Act Entitled: "An Act to amend Chapter 88, of Volume No. 2, of the Revised Codes of Montana of 1921, by adding thereto one new section to be known as section 8290 (A), relating to mortgage on growing crops and providing for exemption."

By Plumer, Burns, Rice, Castles, Tinsley, Miller, Hedrick, Smith, (Beaverhead), Fletcher, Eaton, McAfee, White Fairgrieve, Masters, Harris, A Bill for An Act Entitled: "An Act to amend Section 11052 Revised Codes of Montana of 1921, and repealing Sections 11053, 11096, 11097, 11098 and 11099 Revised Codes of Montana of 1921, relating to the manufacture, sale, purchase and transportation of intoxicating liquors in this State."

By Fairgrieve, by request, A Bill for An Act Entitled: "An Act to provide for the appointment, qualification, duties and compensation of inspectors of boilers, engines, machinery, hazardous plants and engineers; the examination, classification and licensing of engineers and operators of steam and other hazardous machinery; the inspection of boilers, engines, machinery and hazardous plants and the issuance of safety certificates thereon; the collection of certain fees for examination of engineers and operators of hazardous machinery; and for the inspection of boilers, engines, machinery and hazardous plants; and regulations for the sale of second hand boilers, all under the jurisdiction of the Industrial Accident Board; providing penalties for violation of the several provisions of the Act and repealing sections 2712, to 2736, both inclusive, sections 4209 to 4211, both inclusive, sections 11196 to 11198, both inclusive, Revised Codes of Montana of 1921."

By Robert Larson, A Bill for An Act Entitled: "An Act relating to the preservation of the valuable historical records, trophies and curios in the possession of the State Historical Society by additional appropriation of specific sum for purchase of display cases and, if found necessary, hiring of additional help in rearranging and proper labeling of exhibits, and granting permission for placement of such additional cases in corridors of State Capitol Building."



## INTRODUCTION OF BILLS AND MEMORIALS

The following bill was introduced, read first and second times by title only and referred to Committee on New Counties and Divisions:

House Bill No. 264, introduced by Hanson: A Bill for an Act entitled: "An Act establishing and defining the boundary lines of Daniels County and repealing all Acts and parts of Acts in conflict herewith. Referred to New Counties and Divisions.

At the request of Troy, there being no objections, House reverted to Order of Business No. 6:

## MOTIONS AND RESOLUTIONS

Moved by Keeley, White, Troy, Nagle, A. T. Larsen, Caplis, that an appropriate service commemorating the Natal Day of the great emancipator, Abraham Lincoln, be held in the chambers of the House on February 12, 1925; that the members of the Senate be invited to attend such service; and that the Speaker appoint a committee of three members from the House to make all necessary arrangements.

Moved by Duncan, duly seconded and carried, that House reconsider its action of this morning in taking from Printing Committee House Bill No. 203 and placing it with Committee on Affairs of Cities, and again place the bill in the hands of the Printing Committee.

The Speaker appointed the following committee to arrange a Lincoln's Day program in accordance with motion made by Troy: White of Richland, Keeley of Powell, Troy of Hill.

## CONSIDERATION OF GENERAL ORDERS

Moved by Ruffocrn, duly seconded and carried, that House resolve itself into Committee of the Whole for Consideration of General Orders, and that debate be limited to five minutes.

Mr. A. T. Larsen in the chair.

Committee arose.

Mr. Speaker in the chair.

Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bills Nos. 165, 172, 173, 179, 180, 118, 59, 167, 197, 95, respectfully report as follows: That House Bill No. 165 do pass.

That House Bill No. 172 do pass.

That House Bill No. 173 be amended as follows:

Section 1, by adding at the beginning of line 3, the figures 5277. By adding in line 18 after the word "assessments" the words "are collected in cities or towns."

And that as amended, House Bill No. 173 do pass.

That House Bill No. 179 do pass.

That House Bill No. 180 be amended as follows:

The title, by striking out in lines 5 and 6 the words "in any manner applying to special assessments," and inserting in lieu thereof the words "allowing special assessments in cities or towns to be paid in installments."

Section 1, by striking out everything after the word "construed" in line 14, and inserting in lieu thereof the words "as allowing special assessments in cities or towns to be paid in installments."

And that as amended, House Bill No. 180 do pass.

That House Bill No. 118 be amended as follows:

Section 1, by striking out in line 3 the word "must," and inserting in lieu thereof the words "May in their discretion." By striking out in line 4 the words "in the same county" and inserting in line 4 after the words "another district," the words "or county" and insetring in line five after

the words "the district" the words "or county" and inserting in line 7 after the word "district" the words "or county."

And that as amended, House Bill No. 118 do pass.

That House Bill No. 59, the enacting clause be stricken out.

That House Bill No. 167 do pass.

That House Bill No. 197 be re-referred to Ways and Means Committee.

That House Bill No. 95, be amended as follows:

Section 2, by striking out in line 1, after the word "residents" the word "of" and inserting in lieu thereof the word "and;" and by striking out in line 3 the words "letters patent" and inserting in lieu thereof the words "articles of incorporation;" and by striking out in line 7 the word "preceded" and insert in lieu thereof the word "presented;" and by striking out in line 10 the words "letters patent" and inserting the words "articles of incorporation."

Section 3, by striking out in line 1, the words "letters patent" and insert the words "Articles of Incorporation."

Section 4, by striking out in line 1 the word "city," and inserting in lieu thereof the word "county."

Section 7, by striking out in line 2 the words "letters patent" and inserting in lieu thereof the words "Charter of Incorporation," and by striking out in line 6, sub-division designated at "First" the words "the letters patent" and inserting in lieu thereof the word "incorporation."

Moved by Larsen, duly seconded, that report be adopted.

Moved by Flachsenhar, duly seconded, that House Bill No. 59 be segregated from the report.

Question arising on motion to segregate, same carried.

Moved by Flachsenhar, duly seconded and carried, that House Bill No. 59 be re-referred to Committee on Privileges and Elections.

Question arising on original motion that report of Committee of the Whole with House Bill No. 59 segregated therefrom, be adopted, same carried.

Moved by Ruffcorn, duly seconded and carried, that House adjourn until 10:00 A. M., Wednesday, February 4, 1925.

R. C. BRICKER, Speaker.

Attest: H. J. FAUST, Chief Clerk.

### THIRTY-FIRST DAY

House of Representatives,  
Helena, Montana, February, 4, 1925.

House met pursuant to adjournment at 10:00 A. M.

Mr. Speaker in the chair.

Prayer by the Chaplain.

On roll call all present except: McGrath, excused on account of sickness; Mulholland, excused.

The Committee on Journal reported as follows:

Mr. Speaker: We, your Committee on Journal, have this day examined the Journal for the Thirtieth Legislative day and found the same correct.

PEARL I. SMITH, Chairman.

On motion of Smith, report adopted.

The Committee on Printing reported as follows:

Mr. Speaker: We, your Committee on Printing, beg leave to report the following bills correctly printed:

House Bills Nos. 151, 209, 192, 211, 225, 210, 174, 203.

FRED W. ZEH, Chairman.

The Committee on Engrossing reported as follows:

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed:

House Bills Nos. 179, 172, 56, 153, 167, 149, 6, 165, 133, 126.

BERRYMAN, Chairman.

### NOTICES

Authors gave notice that they will on tomorrow or some subsequent day introduce bills as follows:

By Tinsley and Smith of Beaverhead: A Bill for an Act entitled: "An Act establishing a license tax on livestock coming into Montana from other states, and grazing therein, providing for collection of same and distribution of such tax and fixing the penalties for violation of this act."

By Beadle, Fitzgerald, Mulholland: A Bill for an Act entitled: "An Act to authorize and provide for the consolidation and merging of the corporate existence and government of the County of Silver Bow and all cities and towns therein into one municipal corporation and government under the corporate name of 'city and county of Butte,' defining the powers thereof and providing a plan of government therefor. And to repeal Chapter 160 of the Laws of the Eighteenth Legislative Assembly of the State of Montana, 1923, relating to and authorizing and providing for the consolidation and merging of the corporate existence and government of the County of Silver Bow and all cities and towns therein into one municipal corporation and government under the corporate name of 'city and County of Butte;' defining the powers thereof and providing a commission-manager plan of government therefor."

By Donaldson: A Bill for an Act entitled: "An Act to abolish the county contingent fund and to legalize and establish a petty cash fund in lieu thereof by amending Sections 4632 and 4633 of the Revised Codes of Montana of 1921, relating to the county contingent fund; and also to amend Sections 4864 and 4868 of the Revised Codes of Montana of 1921, relating to the disposition of fees of county officers and salaries of county officers and how paid."

By Loble and Keely: A Bill for an Act entitled: "An Act to repeal Section 7798 of the Revised Codes of Montana of 1921, requiring that the entire time of a domestic servant belongs to the master and the time of other servants belongs to the master not exceeding ten hours a day."

By Committee on Banks and Banking: A Bill for an Act entitled: "An Act to amend Section 6069 of the Revised Codes of Montana, 1921, relating to the reserve requirements, overdrafts and limiting the borrowing by banks operating under the laws of the State of Montana."

By Committee on Banks and Banking: A Bill for an Act entitled: "An Act to amend Section 4767 of the Revised Codes of Montana of 1921, as amended by Chapter 89 of the Laws of the Eighteenth Legislative Assembly, relating to the deposits of county, city and town funds."

By Patterson and Troy: A Bill for an Act entitled: "An Act to amend Section 9428 of the Code of Civil Procedure, Revised Codes of Montana, 1921, relating to specific exemption to all judgment debtors who are married, or who are the heads of families."

### REPORTS OF SELECT COMMITTEES

The following report was received from the Joint Committee on State Lands:

#### FINDINGS AND RECOMMENDATIONS OF JOINT COMMITTEE ON STATE LANDS

We, your Committee, appointed by the President of the Senate and the Speaker of the House, have carefully and thoroughly investigated the transactions of the office of the Register of State Lands.



We find that this business is of immense proportions. At this time the investments total approximately \$22,000,000.00; and in addition there are 4,000,000 (plus) acres of land which under the Enabling Act must be held for sale at not less than \$10 per acre. This, with the immediate investments, totals approximately sixty-seven or sixty-eight millions of dollars.

It is a notable fact that the citizens of Montana have no conception of the immensity of this business nor do they realize that the income from the leasing and sale of such land which has been granted by the Federal Government to the State of Montana has such tremendous value; nor do they have in mind the fact that the income which may be derived from the sale or leasing of such State lands becomes available for the maintenance of schools over the State. When lands are sold the principal amount goes into the Permanent School Fund which under the law shall be invested in securities which are available and which may be realized upon without delay. The interest on farm loans and contracts of purchase, revenues received from trespass and other matters arising upon which this department requires a payment, are placed in the Income and Interest Fund. This fund each year is divided among the school children of the State upon a census made by the State Superintendent of Schools. It has been as high as \$6.10 per capita and the last report on the division was \$5.67. The receipts of this department outside of any delinquencies which have occurred because of adverse conditions have been approximately a million and a quarter dollars a year. At this time there are under lease 1,191,559 acres of land. This is covered by grazing leases, agricultural leases and oil leases. The remaining three million acres are not now leased for any purpose whatever. Inasmuch as this land is not being used for any purpose whatever it is the recommendation of this committee that the minimum rental for grazing purposes be based upon \$40 per section rather than upon the present minimum of \$60 per section. It is our opinion that under the conditions that have and do prevail at this time as to the livestock industries of the State that a decided reduction should be made. It has not been possible to go below the minimum established by the board and we are now recommending and insisting that this minimum be reduced to the amount stated before. It has been our observation that where rentals have been entirely out of line and beyond the ability of the stockmen or the farmer to pay them that leases have lapsed or cancelled, and no renewals were made for the reason that the lessees were financially unable to maintain the obligation which is required by the State. We believe that such a reduction to the minimum of \$40 will result in the releasing of many thousands of acres of State lands thereby bringing a revenue that at this time is not had. We further recommend that the Legislature consider the rental charge for agricultural purposes. At the present time a charge of 75c per acre is made. We recommend that this be reduced to 50c per acre. It has been the policy of the land department, worked out with the co-operation of the State Land Agent and the Deputy Register, that land being summer fallowed should be considered as grazing land upon proper notice to this department. Under this plan such lessee would pay the agricultural price for the year in which such lands were in crop. It is further recommended that the land department shall issue leases for one year upon payment of rental in advance and without bondsmen; that such lease shall automatically be cancelled upon non-payment of rental; that leases shall be issued for one year with the privilege of renewing for a term totaling five years but that the lessee upon delinquency shall be dispossessed and shall have no further right to the land in the event that such rental is not paid in advance and that at all times the lessee of record shall have the preference right, meaning that if another bid is received either sealed or oral that the lessee shall have the right to retain the land by consenting to pay the amount that has been bid without the necessity of the lessee bidding again. We further recommend that the Register of State Lands be given such authority to lease land upon which there may be improvements. This refers specifically to fences which are of debat-

able value and of uncertain age. Because of the fact that it is necessary under the law that a new lessee must pay the former lessee for the improvements on the land within 90 days from the expiration of the lease, or if under the limitations they have reverted to the State it results in our being unable to issue a lease and the lands have remained idle. It would appear that if this department has the authority to issue a lease retaining to the State the title and ownership of whatever improvements that have reverted, and make such a notation on the lease issued, that it would result in our being able to put the land in use and derive a revenue which under the present law is prohibitive.

We recommend that the county commissioners have authority by law to cancel second mortgages because of seed liens where that applies to land upon which the State has loaned money from the Common School Permanent Fund.

We recommend that where lands have been abandoned and sufficient evidence is had that the State be given the right to take immediate possession and wherever it can be done place some one on the land to protect the improvements which may be there and pay a rental to the State upon a crop sharing basis, such to be applied upon the delinquent interest and taxes first; and any additional amount received to be applied upon the principal of the loan.

We further recommend that the State Land Agent be given police authority to deputize his agents and deputies to seize chattels for trespass where land is enclosed and being used or occupied without right of law. This applies to crops, to cattle, sheep or any other livestock that may be grazing upon the land under enclosure. We recommend that the law placing the penalty for trespassing at \$25 per day be repealed and that the State should have the right to seize crops and chattels which may be found upon the land and that the penalty be double rental, either agricultural or grazing.

It is further recommended that where deeds have been given to the State for lands mortgaged that under the law (Section 1938, Revised Codes of 1921, amended by Session Laws of 1923) the initial payment should be 10% instead of 15%. It is further recommended that where it is deemed advisable that under the authority of the Attorney General the County Attorneys shall be called upon to conduct in court the act of proving the claim of the State against mortgagors. This will result in the lessening of the expense of the conduct of this department.

It is further recommended by this committee that interest on delinquent taxes be 7% instead of 12% and that the penalty be 5%. This will effect a saving not only to the taxpayers of the State but to the State Land Department in the conducting of its business occurring from loans that have been made. It is estimated that a saving could be made to the department as concerns the Permanent School Fund of from twenty-five to forty thousand dollars because of the fact that a great many of the loans made to the farmers of the State from this department are delinquent not only in the payment of interest but in the payment of taxes. The resultant saving would be approximately the amount above stated.

It is further recommended that certain words included in Section 1938 of the Revised Codes, amended by Session Laws of 1923, be eliminated for the reason that there is a difference between lands granted by the Federal Government to the State of Montana and the lands that have reverted to the State because of foreclosure or unredeemed deeds; and the words to be eliminated are "and the said lands thereafter shall be subject to sale and disposal in the same manner as other State lands."

It is recommended by this committee that the Register of State Lands be authorized to advertise foreclosed lands in a paper published in the county where the lands are located for a period of 30 days and that the Register of State Lands shall be permitted to receive sealed bids at his office in Helena, Montana, for the repurchase of such lands after having been sold under foreclosure. This, if enacted, will save the Permanent



School Fund a considerable amount. It is quite probable that a saving of from \$50 to \$100 can be had under this procedure.

That during the special session of the Legislature in January, 1924, after careful investigation, it was disclosed that foreclosures and acquiring of deeds on State farm loan lands were practically at a standstill owing to the lack of funds. A special appropriation was made of \$5,682.50 for 1924 and a like amount for 1925, this money to be used to hasten foreclosures and acquire deeds to stop the drain on the Permanent School Fund. We find that the results have been obtained. We find that 578 deeds and foreclosures have been completed as the result of that appropriation, or a saving to the Permanent School Fund of \$57,800.00 in delinquent taxes. This is based on the average of \$100 per loan. This was done at a cost in field help and additional help in the office of \$5,377.31. Another item we desire to call to your attention is that of receipts from lands leased by field agents on the crop rental plan. This has returned to the department approximately \$4,000.00; and we would recommend that this policy be continued in the caring for farm lands acquired by the State under this Farm Loan Act. We find that of the special appropriation allowed there is and will be returned to the General Fund \$4,294.90. We compliment the department in the able way that this has been handled and would recommend that activities be continued toward the end that all delinquent loans be converted into amortized contracts to stop the drain on the Permanent School Fund in payment of delinquent taxes.

We desire particularly to call your attention to the report of the Register of State Lands, Table 21, page 32—"Land office expense paid from the Interest and Income Fund commencing 1894 and including all years up to 1921"—showing a total of \$892,468.54. On this amount no interest has been paid nor action taken by any of the prior Legislative Assemblies to replace these moneys belonging to the school children of the State of Montana. Previous to 1921 large amounts of the State school fund varying often from one to two millions of dollars were kept deposited in various banks drawing 2½% interest, all of which interest was placed in the general funds of the State. This interest rightfully belonged to the schools of the State and should be returned to them. This is a serious condition and should receive immediate consideration on the part of this Legislative Assembly as to how to return the money so taken.

A special committee of the Eighteenth Assembly investigating the land office made a recommendation that no more farm loans be made. We find that contrary to the recommendation there have been two loans made, one for nine thousand dollars (\$9,000.00) and one for six thousand dollars (\$6,000.00). There is no question about these loans being good, but in view of the recommendation of the Legislature we feel that they should not have been made; especially when there were approximately fifteen hundred prior applications pending. The question has been raised that the State Land Board received no notice from the Senate as to its action, but past experience and a general knowledge of conditions should have guided the Board in its action. We are loath to recommend the discontinuance of farm loans from the Permanent School Fund, but the net result is that the Permanent School Fund is in a serious condition, carrying a total of almost four and one-half millions of dollars of loans upon which over eight hundred thousand dollars has accrued in delinquent interest, taxes and foreclosure costs—almost twenty per cent (20%) of principal amount, with no mention made of the added cost of administration which is now a charge upon the State General Fund.

Therefore, we, your committee, although reluctant to contemplate the discontinuance of farm loans from the School Land Fund yet, with due regard for the sacredness of this fund, entrusted to our State Government, feel it our duty to recommend that the State Farm Loan Act be repealed.

Appropriations. In common with all departments of the State Government the land department claims to face stark ruination if their ap-



propriations are reduced. While this is a very important department, and their work necessary, we think that they can get along for the next biennium on a reduced appropriation, and would recommend a flat reduction of ten per cent in their appropriation in the coming two year period. We do not want to curtail any of the necessary activities, but believe that proper adjustments can be made in their office with this reduced appropriation so that the absolutely necessary activities may be carried on. In view of the present state of the treasury we feel that all departments should be cut down to the lowest possible amount until the State can get on its feet.

We are basing our recommendations of the ten per cent cut on the budget of the last biennium which shows approximately \$35,000.000 allowed which would reduce this appropriation approximately to \$31,500.00.

Respectfully submitted,

JAMES GRIFFIN, Senate Committee.  
S. H. PORTER, Senate Committee.  
PETER PETERSON, Senate Committee.  
ALBERT HOLTON, House Committee.  
W. T. WAITE, House Committee.  
CHAS. AKOFER, House Committee.

Moved by Holton, duly seconded and carried that the report be adopted and printed at length on the Report of Daily Proceedings.

#### REPORTS OF STANDING COMMITTEES

The following reports were received from Standing Committees:

Mr. Speaker: We, the majority of your Committee on Judiciary, having had under consideration House Bill No. 84, introduced by Ainsworth, respectfully report as follows: That House Bill No. 84 do not pass.

BURNS,  
NELSTEAD,  
FITZGARRALD,  
FLACHSENHAR,  
SMITH,  
BESANCON,  
CAMPBELL,  
JOHNSON of Fergus.

Mr. Speaker: We, the minority of your Committee on Judiciary, having had under consideration House Bill No. 84, introduced by Ainsworth, respectfully report as follows: That House Bill No. 84, be printed and placed on General Orders.

JAMES T. FITZGERALD.  
AINSWORTH.

Moved by Burns, duly seconded, that majority report be adopted.

Moved by Ainsworth, as substitute motion, duly seconded, that minority report be adopted.

Question arising on substitute motion, same carried.

Mr. Speaker: We, the majority of your Committee on Judiciary, having had under consideration House Bill No. 157, introduced by Nagle, respectfully report as follows: That House Bill No. 157 do not pass.

CAMPBELL,  
FLACHSENHAR,  
BESANCON,  
SMITH,  
NELSTEAD,  
FITZGARRALD,  
LEAVENS,  
HOLT,  
AINSWORTH.

Mr. Speaker: We, the minority of your Committee on Judiciary, having had under consideration House Bill No. 157, introduced by Nagle, respectfully report as follows: That House Bill No. 157 be printed and placed on General Orders.

BURNS,  
SCHOENING.

Moved by Campbell, duly seconded, that majority report be adopted.

Moved by Burns as substitute motion, duly seconded, that minority report be adopted.

Question arising on substitute motion, same carried.

Mr. Speaker: We, the majority of your Committee on Judiciary, having had under consideration House Bill No. 187, introduced by James Fitzgerald, respectfully report as follows: That House Bill No. 187 do not pass.

BURNS,  
CAMPBELL,  
BESANCON,  
DAVID R. SMITH,  
HOLT,  
AINSWORTH,  
NELSTEAD,  
FITZGARRALD,  
FLACHSENHAR,  
LEAVENS,  
JOHNSON (Fergus).

Mr. Speaker: We, the minority of your Committee on Judiciary, having had under consideration House Bill No. 187, introduced by James Fitzgerald, respectfully report as follows: That House Bill No. 187 do pass.

FITZGERALD,  
BEADLE.

Moved by Burns, duly seconded, that majority report be adopted.

Moved by Fitzgerald, as substitute motion, duly seconded, that minority report be adopted.

Moved by Loble, as substitute motion for all motions pending, duly seconded, that House Bill No. 187 be printed and placed on General Orders.

Question arising on substitute motion for all motions pending, same is lost.

Question arising on substitute motion that minority report be adopted, same is lost.

Question arising on original motion by Burns that majority report be adopted, same carried.

Mr. Speaker: We, the majority of your Committee on Education, having had under consideration House Bill No. 63, introduced by Eaton, Hoffman, Leavens, Gordon, Wold, Plumer, Fairgrieve, Merritt, Rupert, and Fletcher, respectfully report as follows: That House Bill No. 63 do pass.

GRAYBILL,  
GORDON,  
EATON,  
MOSS,  
PLANK,  
KINVILLE,  
HAWLEY,  
MERRITT,  
SALES.

Mr. Speaker: We, the minority of your Committee on Education, having had under consideration House Bill No. 63, introduced by Eaton, Hoff-

man, Leavens, Gordon, Wold, Plumer, Fairgrieve, Merritt, Rupert, Fletcher, respectfully report as follows: That House Bill No. 63 do not pass.

BURNS,  
BESANCON,  
McCARTY,  
ANDRUS,  
HEDRICK,  
DAVIS.

Moved by Eaton, duly seconded, that majority report be adopted.

Moved by Burns, as substitute motion, duly seconded, that minority report be adopted.

Question arising on substitute motion, same is lost.

Question arising on original motion, same is carried.

Mr. Speaker: We, the majority of your Committee on Apportionment and Representation, having had under consideration House Bill No. 114, introduced by Hedrick, respectfully report as follows: That House Bill No. 114 do not pass.

SMITH,  
JOHNSON,  
BESANCON,  
HARDCASTLE,  
LARSON (ROBERT),  
GREEN.

Mr. Speaker: We, the minority of your Committee on Apportionment and Representation, having had under consideration House Bill No. 114, introduced by Hedrick, respectfully report as follows: That House Bill No. 114 do pass.

WALTON,  
HEDRICK,  
BUDAS.

Moved by Smith, duly seconded, that majority report be adopted.

Moved by Hedrick, duly seconded, that minority report be adopted.

Question arising on substitute motion, same carried.

Mr. Speaker: We, your Committee on Banks and Banking, having had under consideration House Bill No. 247, introduced by the Committee on Banks and Banking, respectfully report as follows: That House Bill No. 247 do pass.

JOHNSON, Chairman.

On motion of Johnson of Fergus, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 241, introduced by Committee on Revenue and Taxation, respectfully report as follows: That House Bill No. 241 do pass.

RUFFCORN, Chairman.

On motion of Ruffcorn, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 238, introduced by Committee on Revenue and Taxation, respectfully report as follows: That House Bill No. 238 do pass.

RUFFCORN, Chairman.

On motion of Ruffcorn, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 239, respectfully report as follows: That House Bill No. 239 do pass.

RUFFCORN, Chairman.

On motion of Ruffcorn, report adopted.



Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 240, respectfully report as follows: That House Bill No. 240 do pass.

RUFFCORN, Chairman.

On motion of Ruffcorn, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 131, respectfully report as follows: That House Bill No. 131 do not pass.

RUFFCORN, Chairman.

Moved by Ruffcorn, duly seconded, that report be adopted.

Moved by Rice, as substitute motion, duly seconded, that House Bill No. 131 be placed on General Orders.

Question arising on substitute motion, same failed.

Question arising on original motion, same carried.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 166, respectfully report as follows: That House Bill No. 166 be re-referred to the Highway Committee.

RUFFCORN, Chairman.

On motion of Ruffcorn, report adopted.

Mr. Speaker: We, the majority of your Committee on Appropriations, having had under consideration House Bill No. 54, respectfully report as follows: That House Bill No. 54 do not pass.

McAFEE,  
LEMMON,  
PARKIN,  
SMITH (Beaverhead),  
ANDERSON,  
TINSLEY,  
DUNCAN,  
JOHNSON (Fergus),  
DONALDSON,  
LOBLE,  
PEAT,  
WOLD, Chairman.

Mr. Speaker: We, a minority of your Committee on Appropriations, having had under consideration House Bill No. 54, respectfully report as follows: That House Bill No. 54 do pass.

FLYNN,  
LARSEN,  
TROY,  
CAPLIS,  
REED.

Moved by Wold, duly seconded, that majority report be adopted.

Moved by Davis, as substitute motion, duly seconded, that minority report be adopted.

Question arising on substitute motion, same carried.

The Printing Committee reported as follows:

Mr. Speaker: We, your Committee on Printing, beg leave to report the following bills correctly printed:

House Bills Nos. 152 and 244.

FRED W. ZEH, Chairman.

#### INTRODUCTION OF BILLS AND MEMORIALS

House Bill No. 265, introduced by Donaldson and Morris: A Bill for an Act entitled: "An Act to appropriate money for the payment of the claim of the estate of Bradley E. Kenney, otherwise E. K. Bradley, now

deceased, for the proceeds of beef cattle shipped to market by him while insane, the proceeds of which came into the estray fund of the State and was transferred to the Livestock Commission fund and used for operation expense." Referred to Appropriations Committee.

The above House Bill No. 265 was read first and second times, second time at length, and referred to Appropriations Committee.

The following bills were introduced, read first and second times by title only and referred to committees as follows:

House Bill No. 266, introduced by Donaldson: A Bill for an Act entitled: "An Act to amend Section 1215, Revised Codes of Montana, 1921, as amended by Chapter 14, Session Laws, 1923, relating to reports to county superintendents of schools of valuations of school districts." Referred to Townships and Counties.

House Bill No. 267, introduced by Smith of Lewis and Clark: A Bill for an Act entitled: "An Act to amend Section 990 of the Revised Codes of Montana of 1921, relating to the nomination of school trustees in districts of the first class." Referred to Committee on Education.

House Bill No. 268, introduced by Smith of Lewis and Clark: A Bill for an Act entitled: "An Act prescribing and defining the duties and powers of the State Engineer in connection with the adjudication and administration of the water right laws of the State of Montana, fixing his salary and that of his assistants, providing for the appointment by him of an assistant and employes, and for the appointment by him of water commissioners and fixing their compensation, providing for the keeping and certifying of records by the State Engineer, providing for returns to be made annually to County Assessors by water right claimants of rights claimed by them to the use of the waters of this State, and for the levying and collection of a water right license tax upon such claimed water right, and for certain public records based upon such returns, and for presumptions of law based upon such returns, and for presumption of abandonment based upon failure of such water right claimants to make such returns, and prescribing the duties of County Assessors, County Treasurers, County Clerks and Recorders and the State Engineer with reference to such returns, records and water right license taxes, and for payment of a part of such license taxes to the State Treasurer to be by him placed in a fund known as State Engineer's water right fund, from which to pay the salaries and expenses of the State Engineer, his assistant and employes, and Water Commissioners appointed by him, and providing for the adjudication of water rights upon complaint of the State Engineer Filed in the District Court, and the procedure in connection therewith, and for the making of rules and regulations and orders and determinations thereunder by the State Engineer respecting the nature, extent or priority of rights, and the distribution and use of water, and for appeals to the District Court by parties dissatisfied with same, or with the action of said State Engineer thereunder and procedure in connection therewith." Referred to Irrigation and Water Rights.

House Bill No. 269, introduced by Flachsenhar: A Bill for an Act entitled: "An Act to provide that no candidate for an office at a primary nominating election shall be nominated on any other ticket than the party ticket named in his nominating petition; prohibiting the counting of votes for such candidate on any other party ticket; and providing for the nomination of the person receiving the next highest number of votes on such party ticket." Referred to Privileges and Elections.

House Bill No. 270, introduced by Fairgrieve, by request: A Bill for an Act entitled: "An Act to provide for the appointment, qualification, duties and compensation of inspectors of boilers, engines, machinery, Hazardous plants and engineers; the examination, classification and licensing of engineers and operators of steam and other hazardous machinery; the inspection of boilers, engines, Machinery and hazardous plants and the issuance of safety certificates thereon; the collection of certain fees for examination of engineers and operators of hazardous machinery; and for

the inspection of boilers, engines, machinery and hazardous plants; and regulations for the sale of second hand boilers, all under the jurisdiction of the Industrial Accident Board; providing penalties for violation of the several provisions of the Act and repealing Sections 2712 to 2736, both inclusive, Sections 4209 to 4211, both inclusive, and Sections 11196 to 11198, both inclusive, Revised Codes Montana, 1921." Referred to Mines and Mining.

House Bill No. 271, introduced by Hoffman: A Bill for an Act entitled: "An Act to amend Chapter 88 of Volume No. 2, of the Revised Codes of Montana of 1921, by adding thereto one new section to be known as Section 8290-A, relating to mortgage on growing crops and providing for exemptions." Referred to Judiciary.

House Bill No. 272, introduced by Besancon: A Bill for an Act entitled: "An Act to amend Section 145 of the Montana Revised Codes of 1921, relating to the fees charged by the Secretary of State." Referred to State Board and Officers' Committee.

House Bill No. 273, introduced by Patterson, Troy, Burns, Plank, Andrus, A. T. Larsen, Keeley, and Fairgrieve: A Bill for an Act entitled: "An Act to amend Sections 917, 918 and 921 of the Revised Codes of Montana, 1921, relating to the establishment and location of the Northern Montana Agricultural and Manual Training School; providing for its relocation at Havre, Montana; providing for the appointment of an executive board for said school; prescribing the powers and duties of said board, and providing for a report by said executive board concerning the functions of said school, to be made to the Twentieth Legislative Assembly of the State of Montana." Referred to Committee on Agriculture.

House Bill No. 274, introduced by Loble: A Bill for an Act entitled: "An Act to repeal Section 11511 of the Revised Codes of Montana, 1921, relating to the transportation of animals in a car or vehicle." Referred to Railroads and Transportation Committee.

House Bill No. 275, introduced by Parkin: A Bill for an Act entitled: "An Act to amend Sections 5465, 5502 and 5507 of the Revised Codes of Montana, 1921, as amended by Chapter 31 of the Eighteenth Legislative Assembly, 1923, and to amend Section 5503 of the Revised Codes of Montana, 1921, all relating to the commission-manager plan of government." Referred to Affairs of Cities Committee.

The Enrolling Committee reported as follows:

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled:

Nos. 80 and 81.

McAFEE, Chairman.

## MOTIONS AND RESOLUTIONS

Moved by Ruffcorn, duly seconded and carried, that House reconsider its action of yesterday on House Bill No. 135 and have same printed and placed on General Orders.

Moved by Caplis, duly seconded and carried, that House Bill No. 95 be withdrawn from Engrossing Committee and placed on General Orders at the bottom of the first column of the list.

The Speaker announced that he was about to sign House Bills Nos. 81 and 80, and thereupon signed the same.

At the request of Lincoln, there being no objections, House reverted to order of Business No. 2:

## NOTICES

Authors gave notice that they will on tomorrow or some subsequent day introduce bills as follows:

By Lincoln and Cusick: A Bill for an Act entitled: "An Act to appropriate money from the Industrial Accident Fund of the State of Montana for payment of compensation on the claim of Oscar G. Haines, which claim



was disallowed by the Industrial Accident Board because it was not presented within six months following the date of the injury."

By Miller, Cusick, Lincoln, Campbell: A Bill for an Act entitled: "An Act relating to the protection of bear and declaring a closed season thereon."

By Parkin and Gordon: A Bill for an Act entitled: "An Act providing for the registration of all marriages and divorces occurring within the State of Montana with the State Registrar of Vital Statistics, fixing fees for the issuance of marriage licenses and for recording marriage licenses and certificates and decrees of divorce, providing for the necessary forms and blanks; making violation of this Act a misdemeanor and providing a penalty therefor and repealing Sections 5713, 5716, 5718 and 5720 of the Revised Codes of 1921, of the State of Montana."

#### CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

Moved by Larsen, duly seconded and carried, that messages from Senate be considered read at length and the Journal so show.

The following messages were received from the Senate:

Helena, Montana, February 3, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bills Nos. 80 and 81 were this day read three several times, concurred in, title agreed to and are herewith returned to the House.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 3, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that, on motion duly made and seconded, the request of the House was granted asking for the recall of H. B. No. 20 and the same is herewith transmitted.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 3, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Finance and Claims report that H. B. No. 3 be amended as follows:

To strike out all amendments to said bill heretofore made and that the original bill be amended as follows:

By striking out the words "within the State" in line 25, Section 1, of the original bill and inserting in lieu thereof the words "at the seat of government of the State of Montana" and by inserting after the word "the" in line 30, Section 1 of the original bill the following words "Number and."

That Section 2 of the original bill be amended as follows:

By striking out the word "State Treasurer" where it appears in Section 2 of said original bill and inserting in lieu thereof the words "State Purchasing Agent."

That said bill be further amended by striking out Section 3 of the original bill and inserting in lieu thereof the following to be known as Section 3:

Section 3. The contract for the publication of said report shall be let to the lowest responsible bidder and shall be for a period of not longer than one year, and it shall not be let for a price totaling an excess of two thousand dollars \$2,000 for a period of one year; and that, as so amended the bill be concurred in.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 3, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Agriculture, having had under consideration House Joint Memorial No. 3, report that same be concurred in.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 3, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following bills were this day read first and second time and referred to the Standing Committees:

- H. B. No. 42—Finance and Claims.
- H. B. No. 61—Revenue and Taxation.
- H. B. No. 96—Public Lands.
- H. B. No. 106—Agriculture.
- H. B. No. 107—Labor and Capital.
- H. B. No. 137—Taxation.
- H. B. No. 154—Education.
- H. B. No. 169—Military Affairs.
- H. B. No. 171—Taxation.
- H. J. R. No. 4—Stockgrowing and Grazing.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 3, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee of the Whole, having had under consideration business on General File, report as follows:

- That S. B. No. 25 do pass.
  - That S. B. No. 29 do pass.
  - That S. B. No. 30 do pass.
  - That consideration of S. B. No. 41 be passed for the day.
  - That H. B. No. 124 be concurred in.
  - That consideration of H. B. No. 34 be passed for the day.
  - That H. J. M. No. 1 be concurred in.
  - That Senate Bill No. 36 do pass.
- Report adopted.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 3, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Notices were this day given:

By Greenup: "An Act fixing and regulating the fees which shall be charged by Abstractors of Title and repealing Section 4141 of the Revised Codes of Montana of 1921."

By Linn: "A Bill for an Act to amend Section 10030 of the Revised Codes of Montana of 1921, relating to the Probate of Wills."

By Committee on Insurance, Spencer, chairman: "An Act to amend Section 6280 of the Revised Codes of the State of Montana of 1921, relating to Contingency Reserves of Life Insurance Companies."

By Speer: "An Act to create a public corporation to be known as 'The State Bar of Montana,' to provide for its organization, government, membership, and powers, to regulate the practice of law and to provide penalties for violation thereof."

By Pomeroy: "An Act relating to irrigation districts amending Section 7242, Revised Codes of Montana, 1921, with regard to delinquent tax sales, and authorizing irrigation district commissioners to take assignments of County Treasurers' certificates of tax sale upon payment of all taxes except irrigation district tax."

By Mears: "An Act to amend Sections 4818 and 4327 of the Revised Codes of the State of Montana, 1921, relating to changing the boundaries of Fergus and Judith Basin Counties."

By Pomeroy: "An Act relating to irrigation districts. Amending Sections 7244 and 7245 of the Revised Codes of Montana, authorizing and empowering the Board of Commissioners of irrigation districts to sell debenture certificates for such consideration as to them shall seem just, and empowering County Treasurers to accept in payment of taxes for which debenture certificates have been issued an amount less than that called for by the certificates."

By Pomeroy: "An Act relating to redemption for tax sales amending Section 2202 of the Revised Codes of Montana, thereby authorizing redemption to be made from tax sale for irrigation district taxes upon surrender of debenture certificate."

By Watson: "An Act to amend Section 618 of the Revised Codes of Montana of 1921, relating to the time candidates must file nomination petitions for general election."

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 3, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following bills were this day introduced:

S. B. No. 72, by Cowan, Griffin, Porter, Dell, Survant, Schnitzler, Taylor, Greenup, Clark, Peterson. A Bill for an Act entitled: "An Act to amend Sections 917, 918 and 921 of the Revised Codes of Montana, 1921, relating to the establishment and location of the Northern Montana Agricultural and Manual Training School; providing for its relocation at Havre, Montana; providing for the appointment of an executive board for said school; prescribing the powers and duties of said board, and providing for a report by said executive board concerning the functions of said school, to be made to the Twentieth Legislative Assembly of the State of Montana." Referred to Committee on Agriculture.

S. B. No. 73, by Duncan, Paul and Stewart. A Bill for an Act entitled: "An Act to amend Section 273 of the Revised Codes of Montana, 1921, relating to the powers of the State Board of Examiners." Referred to Committee on Finance and Claims.

S. B. No. 74, by Watson. A Bill for an Act entitled: "An Act to amend Section 648 of the Revised Codes of Montana of 1921, relating to the time the Secretary of State shall arrange for the arrangement and notice of nominations." Referred to Committee on Privileges and Elections.

S. B. No. 75, by Watson. A Bill for an Act entitled: "An Act to amend Section 649 of the Revised Codes of Montana of 1921, relating to the time the county clerk or city clerk shall arrange for the arrangement of ballots and notice." Referred to Committee on Privileges and Elections.

S. B. No. 76, by Henderson. A Bill for an Act entitled: "An Act defining the right of the State to priority of payment in insolvency proceedings and forbidding such right to sureties and guarantors making payment of obligations due the State." Referred to Committee on Judiciary.

S. B. No. 77, by Committee on Finance and Claims: A Bill for an Act entitled: "An Act authorizing the State Board of Examiners to issue and dispose of 'Capitol Building Bonds' to the amount of twenty-five



thousand dollars for the purpose of constructing a vault in connection with the office of the State Treasurer." Referred to Committee on Printing.

Respectfully,

J. F. CONE, Secretary of Senate.

### THIRD READING OF HOUSE BILLS

House Bill No. 6, by Fox and Parkin, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Caplis, Castles, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Flynn, Fox, Gordon, Graybill, Green, Hanson, Hardcastle, Harris, Hawley, Higham, Hoffman, Holt, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lemmon, Lincoln, Loble, Masters, Meagher, Merritt, Miller, Moriarity, Moss, Moulton, Murphy, McAfee, McCarty, Nagle, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Rice, Ruffcorn, Rupert, Ryder, Sales, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Tinsley, Troy, Waite, Walker, White, Wold, Wuerthner, Zeh, Mr. Speaker. Total—95.

Noes: None.

Absent and not voting: Hedrick, Morris, Mulholland, McGrath, Reed, Walton. Total—6.

House Bill No. 56, introduced by Holt, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Andrus, Beadle, Berryman, Budas, Burns, Campbell, Caplis, Castles, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Gordon, Graybill, Green, Hanson, Harris, Hawley, Higham, Hoffman, Holt, Johnson (Fergus), Johnson (Valley), Kinville, Larson (Cascade), Larson (Sheridan), Larsen (Sheridan), Leavens, Lemmon, Lincoln, Masters, Meagher, Merritt, Moss, Moulton, Murphy, McCarty, Parkin, Peat, Peterson, Plank, Plumer, Reed, Ruffcorn, Ryder, Sales, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Strange, Throssel, Troy, Walker, Walton, White, Wold, Wuerthner, Zeh, Mr. Speaker. Total—71.

Noes: Akofer, Anderson, Bergstrom, Besancon, Brandt, Hardcastle, Holton, Joffray, Keeley, Kelly, Kennedy, Miller Moriarity, Nagle, Nelson, Nelstead, Patterson, Rice, Rupert, Stoddard, Tinsley, Waite. Total—22.

Absent and not voting: Flynn, Fox, Hedrick, Loble, Morris, Mulholland, McAfee, McGrath. Total—8.

House Bill No. 126, introduced by Akofer, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Caplis, Castles, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Flynn, Fox, Gordon, Graybill, Green, Hanson, Hardcastle, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lemmon, Lincoln, Masters, Meagher, Merritt, Miller, Moriarity, Moss, Moulton, Murphy, McCarty, Nagle, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Reed, Rice, Ruffcorn, Rupert, Ryder, Sales, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Tinsley, Troy, Waite, Walker, Walton, White, Wold, Wuerthner, Zeh, Mr. Speaker. Total—95.

Noes: None.

Absent and not voting: Loble, Morris, Mulholland, McAfee, McGrath, Shields. Total—6.

House Bill No. 133, introduced by Loble, having been read three several times, title and history agreed to, was killed by the following vote:

Ayes: Akofer, Anderson, Andrus, Budas, Caplis, Clarke, Cusick, Dellwo, Doran, Fletcher, Fox, Green, Hanson, Hardcastle, Higham, Holton, Joffray, Keeley, Kelly, Kinville, Larson (Sheridan), Lemmon, Lincoln, Meagher, Miller, Moriarity, Murphy, McAfee, McCarty, Nagle, Patterson, Peterson, Plank, Plumer, Shields, Smith (Lewis and Clarke), Stoddard, Throssel, Tinsley, Troy, White, Mr. Speaker. Total—42.

Noes: Ainsworth, Berryman, Besancon, Brandt, Burns, Campbell, Castles, Davis, Donaldson, Duncan, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Flynn, Gordon, Graybill, Harris, Hawley, Hedrick, Hoffman, Holt, Johnson (Fergus), Johnson (Valley), Kennedy, Larson (Cascade), Larson (Sheridan), Leavens, Masters, Merritt, Moss, Moulton, Nelson, Nelstead, Parkin, Peat, Reed, Rice, Ruffcorn, Rupert, Ryder, Sales, Schoening, Smith (Beaverhead), Steeves, Strange, Waite, Walker, Walton, Wold, Wuerthner, Zeh. Total—53.

Absent and not voting: Beadle, Bergstrom, Loble, Morris, Mulholland, McGrath. Total—6.

Moved by Ruffcorn, duly seconded and carried, that House recess until 2:00 P. M.

#### AFTERNOON SESSION

House resumed at 2:00 P. M.

Mr. Speaker in the chair.

#### THIRD READING OF HOUSE BILLS

House Bill No. 153, by Smith of Lewis and Clark, having been read three several times, title and history agreed to was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Caplis, Castles, Clarke, Cusick, Dellwo, Donaldson, Doran, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Flynn, Fox, Gordon, Graybill, Green, Hanson, Hardcastle, Hedrick, Higham, Hoffman, Holt, Holton, Joffray, Keeley, Kelly, Kennedy, Larson (Cascade), Larsen (Sheridan), Leavens, Lemmon, Lincoln, Meagher, Merritt, Moriarity, Morris, Moss, Moulton, McCarty, Nagle, Nelson, Nelstead, Peat, Plank, Plumer, Rice, Ruffcorn, Rupert, Ryder, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Strange, Tinsley, Troy, Walton, White, Wold, Wuerthner, Zeh, Mr. Speaker. Total—74.

Noes: None.

Absent and not voting: Campbell, Davis, Duncan, Fletcher, Harris, Hawley, Johnson (Fergus), Johnson (Valley), Kinville, Larson (Sheridan), Loble, Masters, Miller, Mulholland, Murphy, McAfee, McGrath, Parkin, Patterson, Peterson, Reed, Sales, Shields, Stoddard, Throssel, Waite, Walker. Total—27.

House Bill No. 165, introduced by Ruffcorn, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Caplis, Castles, Clarke, Cusick, Dellwo, Doran, Eaton, Fitzgarrald, Flachsenhar, Fletcher, Flynn, Gordon, Graybill, Green, Hanson, Hardcastle, Hedrick, Higham, Hoffman, Holt, Keeley, Kelly, Kennedy, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lemmon, Lincoln, Meagher, Merritt, Moriarity, Morris, Moulton, Murphy, McCarty, Nagle, Nelson, Nelstead, Peat, Plank, Plumer, Rice, Ruffcorn, Rupert, Ryder, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Strange, Tinsley, Troy, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—69.



Noes: Fitzgerald, Fox. Total—2.

Absent and not voting: Campbell, Davis, Donaldson, Duncan, Fairgrieve, Harris, Hawley, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Kinville, Loble, Masters, Miller, Moss, Mulholland, McAfee, McGrath, Parkin, Patterson, Peterson, Reed, Sales, Shields, Stoddard, Throssel, Waite, Walker, Wold. Total—30.

House Bill No. 167, introduced by Flynn by request, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Bergstrom, Berryman, Besancon, Brandt, Burns, Castles, Clarke, Dellwo, Doran, Eaton, Fitzgarrald, Flachsenhar, Fletcher, Flynn, Fox, Gordon, Graybill, Green, Hanson, Hardcastle, Hedrick, Higham, Hoffman, Holt, Keeley, Kelly, Kennedy, Larsen (Sheridan), Larson (Sheridan), Leavens, Lemmon, Lincoln, Meagher, Merritt, Moriarity, Moss, Murphy, McCarty, Nagle, Nelson, Nelstead, Peat, Peterson, Plank, Plumer, Rice, Ruffcorn, Ryder, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Strange, Tinsley, Troy, Waite, Walton, White, Wuerthner, Zeh, Morris, Mr. Speaker. Total—67.

Noes: Beadle, Fitzgerald. Total—2.

Absent and not voting: Budas, Campbell, Caplis, Cusick, Davis, Donaldson, Duncan, Fairgrieve, Harris, Hawley, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Kinville, Larson (Cascade), Loble, Masters, Miller, Moulton, Mulholland, McAfee, McGrath, Parkin, Patterson, Reed, Rupert, Sales, Stoddard, Throssel, Walker, Wold. Total—32.

House Bill No. 172, introduced by Bergstrom and Flachsenhar, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Caplis, Castles, Clarke, Cusick, Dellwo, Doran, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Flynn, Fox, Gordon, Graybill, Green, Hanson, Hardcastle, Hedrick, Higham, Hoffman, Holt, Keeley, Kelly, Kennedy, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lemmon, Lincoln, Meagher, Moriarity, Morris, Moss, Moulton, Murphy, McCarty, Nagle, Nelson, Nelstead, Peat, Plank, Rice, Ruffcorn, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Tinsley, Troy, Waite, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—67.

Noes: Ainsworth, Merritt, Plumer, Ryder. Total—4.

Absent and not voting: Burns, Campbell, Davis, Donaldson, Duncan, Harris, Hawley, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Kinville, Loble, Masters, Miller, Mulholland, McAfee, McGrath, Parkin, Patterson, Peterson, Reed, Rupert, Sales, Steeves, Stoddard, Strange, Throssel, Walker, Wold. Total—30.

House Bill No. 179, introduced by Schoening, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Caplis, Castles, Clarke, Cusick, Dellwo, Doran, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Flynn, Fox, Gordon, Graybill, Green, Hanson, Hedrick, Higham, Hoffman, Holt, Keeley, Kelly, Kennedy, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lemmon, Lincoln, Loble, Merritt, Moriarity, Morris, Moulton, Murphy, McCarty, Nelson, Nelstead, Peat, Plank, Plumer, Rice, Ruffcorn, Ryder, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Tinsley, Troy, Waite, Walker, Walton, White, Wuerthner, Zeh, Mr. Speaker, Hardcastle. Total—72.

Noes: None.

Absent and not voting: Campbell, Davis, Donaldson, Duncan, Harris, Hawley, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Kinville, Masters, Meagher, Miller, Moss, Mulholland, McAfee, McGrath, Nagle,



Parkin, Patterson, Peterson, Reed, Rupert, Sales, Stoddard, Strange, Throssel, Wold. Total—29.

House Bill No. 149, by Zeh, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Budas, Burns, Caplis, Castles, Clarke, Cusick, Dellwo, Doran, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Flynn, Fox, Gordon, Graybill, Green, Hanson, Hardcastle, Hedrick, Higham, Hoffman, Holt, Keeley, Kelly, Kennedy, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Lavens, Lemmon, Lincoln, Loble, Meagher, Merritt, Moriarity, Morris, Moulton, McCarty, Nagle, Nelson, Nelstead, Peat, Plank, Plumer, Rice, Masters, Ruffcorn, Rupert, Ryder, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Tinsley, Waite, Walker, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—72.

Noes: None.

Absent and not voting: Brandt, Campbell, Davis, Donaldson, Duncan, Harris, Hawley, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Kinville, Masters, Miller, Moss, Mulholland, Murphy, McAfee, McGrath, Parkin, Patterson, Peterson, Reed, Sales, Stoddard, Strange, Throssel, Troy, Wold. Total—29.

House Bill No. 118, introduced by Holt, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Andrus, Beadle, Berryman, Budas, Burns, Castles, Clarke, Dellwo, Fairgrieve, Fitzgarrald, Flachsenhar, Flynn, Gordon, Graybill, Green, Hanson, Hedrick, Higham, Holt, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Loble, Meagher, Merritt, Nagle, Peat, Plank, Plumer, Ruffcorn, Ryder, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Troy, Walker, Walton, White, Morris, Wuerthner, Zeh, Mr. Speaker. Total—45.

Noes: Akofer, Anderson, Bergstrom, Besancon, Brandt, Cusick, Doran, Eaton, Fletcher, Fox, Hardcastle, Hoffman, Keeley, Kelly, Kennedy, Lemmon, Moriarity, Moulton, Murphy, McCarty, Nelson, Nelstead, Rice, Lincoln, Rupert, Tinsley, Waite. Total—27.

Absent and not voting: Ainsworth, Campbell, Caplis, Davis, Donaldson, Duncan, Fitzgerald, Harris, Hawley, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Kinville, Masters, Miller, Moss, Mulholland, McAfee, McGrath, Parkin, Patterson, Peterson, Reed, Sales, Stoddard, Strange, Throssel, Wold. Total—29.

The Speaker asked at this point that the Journal show that Subcommittee of the Appropriations on deficiency claims be excused on request of Johnson of Fergus, chairman.

House Bill No. 173, introduced by Duncan, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Castles, Clarke, Cusick, Dellwo, Doran, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Flynn, Fox, Gordon, Graybill, Green, Hanson, Hardcastle, Hedrick, Higham, Hoffman, Holt, Keeley, Kelly, Kennedy, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lemmon, Lincoln, Loble, Meagher, Merritt, Moriarity, Morris, Moulton, Murphy, Nagle, Nelson, Nelstead, Peat, Plank, Rice, Ruffcorn, Rupert, Ryder, Schoening, Shields, Smith (Lewis and Clark), Steeves, Tinsley, Troy, Walker, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—69.

Noes: Plumer. Total—1.

Absent and not voting: Ainsworth, Campbell, Caplis, Davis, Donaldson, Duncan, Harris, Hawley, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Kinville, Masters, Miller, Moss, Mulholland, McAfee, McCarty, McGrath, Parkin, Patterson, Peterson, Reed, Sales, Smith (Beaverhead), Stoddard, Strange, Throssel, Waite, Wold. Total—31.

House Bill No. 180, introduced by Duncan, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Akofer, Anderson, Andrus, Bergstrom, Berryman, Besancon, Budas, Burns, Castles, Clarke, Cusick, Dellwo, Doran, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Fox, Gordon, Graybill, Green, Hanson, Hardcastle, Hedrick, Higham, Holt, Keeley, Kelly, Kennedy, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lemmon, Lincoln, Loble, Meagher, Merritt, Moriarity, Morris, Moulton, Murphy, McCarty, Nelson, Nelstead, Peat, Plank, Rice, Rupert, Ryder, Schoening, Shields, Smith (Lewis and Clark), Steeves, Strange, Tinsley, Waite, Walker, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—65.

Noes: Flynn, Plumer, Troy. Total—3.

Absent and not voting: Ainsworth, Beadle, Brandt, Campbell, Caplis, Davis, Donaldson, Duncan, Harris, Hawley, Hoffman, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Kinville, Masters, Miller, Moss Muhlolland, McAfee, McGrath, Nagle, Parkin, Patterson, Peterson, Reed, Ruffcorn, Sales, Smith (Beaverhead), Stoddard, Throssel, Wold. Total—33.

There being no objections, House reverted to Order of Business No. 2:

### NOTICES

Authors gave notice that they will on tomorrow or some subsequent day introduce bills as follows:

By Committee on Livestock and Public Ranges: A Bill for an Act entitled: "An Act to amend Section 3403 of the Revised Codes of Montana, 1921, relating to the running at large of bulls."

By Committee on Livestock and Public Ranges: A Bill for an Act entitled: "An Act declaring abandoned horses running at large upon the open range in the State of Montana, to be a public nuisance; defining 'abandoned horse;' defining 'open range;' condemning abandoned horses running upon the open range; providing for roundups and for sale and other disposition of abandoned horses taken up in such roundups; providing for reclamation of any abandoned horse by its owner; providing for the taxation of abandoned horses; and providing for notices and procedure."

By Hedrick, Walker, Johnson, Moulton: A Bill for an Act entitled: "An Act to amend Section 964, Revised Codes, 1921, relating to school warrants and providing when warrants may be issued in anticipation of taxes levied but not collected."

By Fairgrieve and Shields by request: A Bill for an Act entitled: "An Act providing for days of rest and vacations for city firemen."

The Engrossing Committee reported as follows:

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed:

180, 173, 118.

BERRYMAN, Chairman.

The Printing Committee reported as follows:

Mr. Speaker: We, your Committee on Printing, beg leave to report the following bills correctly printed:

House Bills 243, 178, 193, 220.

FRED W. ZEH, Chairman.

### CONSIDERATION OF GENERAL ORDERS

Moved by Ruffcorn, duly seconded and carried, that House resolve itself into Committee of the Whole for consideration of General Orders, with debate limited to five minutes.

Mr. Smith of Lewis and Clark in the chair.

Committee arose.

Mr. Speaker in the chair.

The Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bills Nos. 77, 105, 108, 119, 136, 160, respectfully report as follows: That House Bill No. 77 be amended as follows:

Section 1, by striking out in line 10 the word "this" and inserting in lieu thereof the word "the" and by striking out in line 16, the word "required," and inserting in lieu thereof the word "permitted" and by striking out in Section 2, line 2, the figures "1922" and inserting in lieu thereof the figures "1925."

And that as amended, House Bill No. 77 do pass.

That House bill No. 105 be amended as follows:

Section 1, by inserting in line 3, "Section 620;" by striking out in line 7 the word "two" and inserting in lieu thereof the word "five."

And that as amended, House Bill No. 105 do pass.

That House Bill No. 108 be amended as follows:

Section 3, by striking out Section 3.

And that as amended, House Bill No. 108 do pass.

That House Bill No. 119 do pass.

That House Bill No. 136 be amended as follows:

Section 2, by inserting at the end of said section, "provided that this section shall not apply unless such officer shall have made the return required by law."

And that as amended, House Bill No. 136 do pass.

That House Bill No. 160 do pass.

On motion of Smith of Lewis and Clark report adopted.

At the request of Clarke, there being no objections, House reverted to Order of Business No. 4:

#### REPORT OF STANDING COMMITTEES

The following reports were received from Standing Committees:

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 204, introduced by Donaldson, respectfully report as follows: That said House Bill No. 204 be amended as follows:

By inserting the words "or town" after the word "city" in line 7 of Section 1, and that as amended we recommend that the said bill do pass.

CLARKE, Chairman.

On motion of Clarke, report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 205, introduced by Campbell, Zeh, Peat and Besancon, respectfully report as follows: That said House Bill No. 205 do pass.

CLARKE, Chairman.

On motion of Clarke, report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 260, introduced by White, Hoffman, Rupert, Donaldson, Reed, Flynn, Cusick, Zeh, Rice, Graybill, Flachsenhar, Elmer Johnson, Hawley, Akofer, Kinville, Fairgrieve, Budas, Duncan, Throssel, Andrus, Clarke, Davis, Keeley, Bergstrom, Tinsley, Fitzgerald, Beadle, respectfully report as follows: That said House Bill No. 260 do pass.

CLARKE, Chairman.

On motion of Clarke, report adopted.

Mr. Speaker: We, your Committee on Military Affairs, having had under consideration House Bill No. 252, introduced by Burns, Castles,



Throssel, Leavens, Andrus, Anderson, Patterson, Graybill, Beadle, and White, respectfully report as follows: That House Bill No. 252 do pass.  
WHITE, Chairman.

On motion of White, report adopted.

There being no objections, House reverted to Order of Business No. 5:

### INTRODUCTION OF BILLS AND MEMORIALS

The following bills were introduced, read first and second times by title only and referred to committees as follows:

House Bill No. 276, introduced by Committee on Banks and Banking: A Bill for an Act entitled: "An Act to amend Section 6069 of the Revised Codes of Montana of 1921, relating to the Reserve, requirements, overdrafts and limiting the borrowing by banks operating under the laws of the State of Montana." Referred to Committee on Banks and Banking.

House Bill No. 277, introduced by Committee on Banks and Banking: A Bill for an Act entitled: "An Act to amend Section 4767 of the Revised Codes of Montana of 1921, as amended by Chapter 89 of the Laws of the Eighteenth Legislative Assembly, relating to the deposits of county, city and town funds." Referred to Committee on Banks and Banking.

The following bill was introduced, read first and second times, second time in full, and referred to Appropriations Committee:

House Bill No. 278, introduced by Loble, A. T. Larson, Graybill, Hanson, Joffray, Flachsenhar, Johnson (Fergus), Fitzgarrald (Ravalli): A Bill for an Act entitled: "An Act to create a banking code committee and prescribe its powers and duties and making appropriation therefor." Referred to Appropriations Committee.

The following bills were introduced, read first and second times by title only and referred to committees as follows:

House Bill No. 279, by Hedrick, Burns, Eaton, McAfee, White, Fairgrieve, Masters, Harris, Plumer, Rice, Castles, Tinsley, Miller, Smith (Beaverhead), and Fletcher: A Bill for an Act entitled: "An Act to amend Section 11052, Revised Codes of Montana of 1921, and repealing Sections 11053, 11096, 11097, 11098 and 11099, Revised Codes of Montana of 1921, relating to the manufacture, sale, purchase and transportation of intoxicating liquors in this state." Referred to Revenue and Taxation Committee.

Senate Joint Resolution No. 5, introduced by Committee on Livestock and Grazing:

Whereas, There has been introduced in the United States Senate, Bill No. 2424 by Phipps, which is an act concerning livestock grazing fees on National forests; and

Whereas, This bill provides that fifty per cent of the grazing fees received during any fiscal year from National forests shall be paid to the state or territory in which the National forest is located; and

Whereas, This bill meets with the hearty approval of the stockmen of Montana;

Now Therefore Be It Resolved, That the Senate and House of Representatives of the State of Montana, request the Montana representatives in Washington to support and work for the passage of the Phipps bill."

Referred to Committee on Livestock and Public Ranges.

Senate Bill No. 18, by Demel: "An Act to amend Section 6969 of the Revised Codes of Montana of 1921, relating to homesteads." Referred to Judiciary Committee.

Senate Bill No. 25, by Walker: An Act to validate and make legal certain county warrants drawn on the poor funds of the respective counties of the State of Montana for services actually rendered, or for goods or materials actually furnished, which warrants were drawn and registered since the passage and approval of Chapter 209 of the State of Montana

and without compliance with said chapter and to authorize payment of same." Referred to Townships and Counties.

Senate Bill No. 29, by Leuthold: "An Act regulating the drilling and operation of oil and gas wells, relating to the conservation of oil and natural gas, providing for the administration of the Act and by the Board of Railroad Commissioners of the State of Montana, and repealing Sections 3547, 3548, 3553, and 3554, of the Revised Codes of Montana, 1921." Referred to Committee on Petroleum, Oil and Gas.

Senate Bill No. 30, by Leuthold: "An Act to amend Section 4390 of the Revised Codes of 1921, relating to the creation of new counties." Referred to Committee on New Counties and Divisions.

Senate Bill No. 36, by Hazelbaker: "An Act to amend Section 4143, Revised Codes, Montana, 1921, pertaining to the requirements of abstractors of titles relating to the renewal of abstractors bonds." Referred to Committee on Judiciary.

Senate Bill No. 53, by Stock Grazing Committee: "An Act to provide for the prevention of the introduction and spread of disease among live-stock, including poultry, dogs and other animals; authorizing the governor to issue a proclamation designating the territory in which such disease may exist and forbidding the importation therefrom, except under certain restrictions, of any such livestock, poultry, dogs or other animals, and of any article or commodity likely to convey such disease, and prescribing penalties for the disobedience of such proclamation." Referred to Committee on Livestock and Public Ranges.

The following bills were introduced without previous notice, with unanimous consent of the House, and referred to Horticulture Committee:

House Bill No. 280, introduced by Horticulture Committee: A Bill for an Act entitled: "An Act for the promotion of horticulture, providing for the control of insect pests and plant diseases, defining the powers of municipal authorities and of the department of agriculture, labor and industry of the State of Montana in that regard and providing penalty for the violation of this Act." Referred to Horticulture Committee.

House Bill No. 281, introduced by Committee on Horticulture: A Bill for an Act entitled: "An Act to amend Section 4272 of the Revised Codes of Montana of 1921, relating to penalty for violation of standard apple box and grades Act." Referred to Committee on Horticulture.

House Bill No. 282, introduced by Horticulture Committee: A Bill for an Act entitled: "An Act relating to the licensing of public sprayers of trees and plants prescribing their duties and fixing penalties for violation of this Act." Referred to Committee on Horticulture.

The following bill was introduced by Lincoln, Cusick, et al., read first and second times, second time at length, and referred to Appropriations Committee:

House Bill No. 283, introduced by Lincoln, Cusick, Moss: A Bill for an Act entitled: "An Act to appropriate money from the Industrial Accident fund of the State of Montana for payment of compensation on the claim of Oscar G. Haines, which claim was disallowed by the Industrial Accident Board because it was not presented within six months following the date of the injury." Referred to Appropriation Committee.

There being no objections House reverted to Order of Business No. 2:

## NOTICES

Authors gave notice that they will on tomorrow or some subsequent day introduce bills as follows:

By Besancon: A Bill for an Act entitled: "An Act amending Section 4026 of the Revised Codes of Montana of 1921, relating to regulation of stockbrokers and investment companies (Blue Sky Laws)."

By Beadle: A Bill for an Act entitled: "An Act to repeal Section 2481 of the Revised Codes of the State of Montana of the year 1921, and to prevent any board or officer over any school or teacher in any school

from excluding from attendance thereon any child or other person by reason of not having been vaccinated."

By Kennedy: A Bill for an Act entitled: "An Act for the establishment and construction of a fish hatchery along the waters of Rock Creek, in Granite County, Montana, making appropriation therefor and an appropriation for the maintenance thereof for the years 1925 and 1926."

Moved by Lemmon, duly seconded, that House adjourn until 10:30 A. M., Thursday, February 5, 1925.

Moved by Fairgrieve, as a substitute motion, duly seconded, that House adjourn until 10:00 A. M., Thursday, February 5, 1925.

Question arising on substitute motion, same carried.

R. C. BRICKER, Speaker.

Attest: H. J. FAUST, Chief Clerk.

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### THIRTY-SECOND DAY

House of Representatives,  
Helena, Montana, February 5, 1925.

House met pursuant to adjournment at 10:00 A. M.

Mr. Speaker in the chair.

Prayer by the Chaplain.

On roll call all present except: Campbell and Morris, excused an account of sickness.

The Committee on Journal reported as follows:

Mr. Speaker: We, your Committee on Journal, have this day examined the Journal for the 31st Legislative day and found the same correct.

PEARL I. SMITH, Chairman.

On motion of Smith, report adopted.

### NOTICES

Authors gave notice that they will on tomorrow or some subsequent day introduce bills as follows:

By Fairgrieve: A Bill for an Act entitled: "An Act to amend Section 11053, Revised Codes of Montana of 1921, relating to the issuing and filling of prescriptions for intoxicating liquor, by requiring pharmacists to keep and display a list of all persons for whom he fills such prescriptions; providing for a tax upon each prescription so issued or filled to be paid to the Treasurer of the State of Montana; providing how and when such tax shall be paid and the disposition thereof; providing a penalty for failure to pay such tax; making the records of physicians and pharmacists relating to the issuing and filling of such prescriptions open to inspection by all officers required by law to enforce the laws of the State relating to intoxicating liquors; and repealing Sections 11097 and 11098, Revised Codes of Montana, 1921, relating to the recognition and validation of federal permits in this State."

By Loble and Keeley: A Bill for an Act entitled: "An Act to repeal Section 7799 of the Revised Codes of Montana of 1921, requiring that a servant must deliver to his master without demand everything he received on his master's account except that the servant is not required to so deliver property through a third person."

### INTRODUCTION OF BILLS AND MEMORIALS

The following bill was introduced, read first and second times by title only and referred to committee:

House Bill No. 284, introduced by the Committee on Livestock and Public Ranges: A Bill for an Act entitled: "An Act to amend Section



3403 of the Revised Codes of Montana of 1921, relating to the running at large of bulls." Referred to Livestock and Public Ranges.

The following bill was introduced, read first and second times, second time at length, and referred to Committee on Appropriations.

House Bill No. 285, introduced by Kennedy: A Bill for an Act entitled: "An Act for the establishment and construction of a fish hatchery along the waters of Rock Creek, in Granite County, Montana, making an appropriation therefor and an appropriation for the maintenance thereof for the years 1925 and 1926. Referred to Committee on Appropriations.

The following bills were introduced, read first and second times by title only and referred to committees as follows:

House Bill No. 286, introduced by Fairgrieve and Shields: A Bill for an Act entitled: "An Act providing for days of rest and vacations for city firemen." Referred to Labor.

House Bill No. 287, introduced by Tinsley and Pearl I. Smith: A Bill for an Act entitled: "An Act establishing a license tax on livestock coming into Montana from other states, and grazing therein, providing for collection of same and distribution of such tax and fixing the penalties for violation of this Act." Referred to Ways and Means.

House Bill No. 288, introduced by Ainsworth: A Bill for an Act entitled: "An Act to amend Section 2056 of the Revised Codes of Montana of 1921, relating to county assessor's present ownership books and repealing all Acts and parts of Acts in conflict herewith." Referred to Townships and Counties.

House Bill No. 289, introduced by Committee on Livestock and Public Ranges: "A Bill for an Act entitled: "An Act declaring abandoned horses running at large upon the open range in the State of Montana to be a public nuisance; defining 'abandoned horse;' defining 'open range;' condemning abandoned horses running upon the open range; providing for roundups and for sale and other disposition of abandoned horses taken up in such roundups; providing for reclamation of any abandoned horse by its owner; providing for the taxation of abandoned horses; and providing for notices and procedure." Referred to Livestock and Public Ranges.

House Bill No. 290, introduced by Besancon: A Bill for an Act entitled: "An Act amending Section 4028 of the Revised Codes of Montana of 1921, relating to regulation of stockbrokers and investment companies (Blue Sky Laws)." Referred to Judiciary.

House Bill No. 291, introduced by Donaldson: A Bill for an Act entitled: "An Act to abolish the county contingent fund and to legalize and establish a petty cash fund in lieu thereof by amending Sections 4632 and 4633 of the Revised Codes of Montana of 1921, relating to the county contingent fund; and also to amend Sections 4864 and 4868 of the Revised Codes of Montana of 1921, relating to the disposition of fees of county officers and salaries of county officers and how paid." Referred to Townships and Counties.

House Bill No. 292, introduced by Patterson and Troy: A Bill for an Act entitled: "An Act to amend Section 9428 of the Code of Civil Procedure, Revised Codes of Montana, 1921, relating to specific exemption to all judgment debtors who are married, or who are heads of families." Referred to Judiciary.

House Bill No. 293, introduced by Miller, Cusick, Lincoln, and Campbell: A Bill for an Act entitled: "An Act relating to the protection of bear and declaring a closed season thereon." Referred to Fish and game.

House Bill No. 294, introduced by Hedrick, Walker, Moulton, Albert Johnson: A Bill for an Act entitled: "An Act to amend Section 964, Revised Codes, 1921, relating to school warrants and providing when warrants may be issued in anticipation of taxes levied but not collected." Referred to Ways and Means Committee.

The Committee on Printing reported as follows:

Mr. Speaker: We, your Committee on Printing, beg leave to report the following bills correctly printed:

House Bills Nos. 134, 161, 200, 256, 94, 168 and 255.

FRED W. ZEH, Chairman.

#### CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

Moved by Loble, duly seconded and carried, that messages from Senate be considered read at length and the Journal so show.

The following messages were received from the Senate:

February 4, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Joint Memorial No. 1, introduced by Dellwo, was this day read third time and concurred in as amended by the Committee on Irrigation, and is herewith transmitted to the House for concurrence in Senate amendment.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, February 4, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title agreed to and are herewith transmitted to the House for concurrence:

S. J. R. No. 5, by Livestock and Grazing Committee.

S. B. No. 18, by Demel.

S. B. No. 25, by Walker.

S. B. No. 29, by Leuthold.

S. B. No. 30, by Leuthold.

S. B. No. 36, by Hazelbaker.

S. B. No. 53, by Stock and Grazing Committee.

Respectfully,

J. F. CONE, Secretary of Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 124, introduced by Committee on Appropriations, was this day read three several times and concurred in, title agreed to and is herewith returned to the House.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 4, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Notices were this day given:

By Patterson: "An Act to abolish the law department of the State University, the department of School of Journalism, and the department of Pharmacy of the University of Montana at Missoula, and repealing Sections 872, 873 and 874 of the Revised Codes of Montana of 1921."

By Taylor: "An Act to amend Section 1 of Chapter 90 of the Session Laws of the Eighteenth Legislative Session, defining the word insolvency as pertaining to banks and providing a method of proving the same, and repealing Sub-section 10 of said chapter."

By Smith, Committee on Federal Relations: A Senate Joint Resolution relating to the two hundredth anniversary of the birth of George Washington.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, February 4, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that H. B. No. 42, introduced by Fairgrieve, was this day reported

from the Committee on Finance and Claims with the recommendation that it be not concurred in. Report adopted and the bill is herewith returned to the House.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, February 4, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that H. B. No. 92, introduced by Graybill, was this day reported by the Committee on Irrigation with the recommendation that it be not concurred in. Report adopted and the bill is herewith returned to the House.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, February 4, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that H. B. No. 122, introduced by Smith and Nagle by request, was this day reported from the Committee on Judiciary with the recommendation that it be not concurred in. Report adopted and the bill is herewith returned to the House.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, February 4, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Taxation this day reported and recommended as follows:

That H. B. No. 171, introduced by Duncan, be concurred in.

That H. B. No. 137, introduced by Kelly, be concurred in.

Report adopted.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, February 4, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Constitutional Amendments, to whom was referred H. J. R. No. 1, reported the same back without recommendation. Report adopted.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, February 4, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the communication from the House, relative to the appointing of a committee from the Senate to act with a like committee from the House, making arrangements for appropriate services commemorating Abraham Lincoln, was this day read and the President of the Senate appointed the following Senators: McCone, Buttelman, Tower.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 4, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following bills were this day introduced and referred to the Standing Committees:

S. B. No. 78, by Clark: "An Act providing for submitting to the qualified electors of the State of Montana, the question and asking for their advice as to the desirability of the ratification of the proposed twentieth amendment to the Federal Constitution by the General Assembly of Montana." Constitutional Amendments Committee.



S. B. No. 79, by Greenup: "An Act fixing and regulating the fees which shall be charged by abstractors of title and repealing Section 4141 of the Revised Codes of Montana of 1921, and repealing all Acts and parts of Acts in conflict herewith." Banks and Banking.

S. B. No. 80, by Speer: "An Act to create a public corporation to be known as 'The State Bar of Montana,' to provide for its organization, government, membership, and powers, to regulate the practice of law, and to provide penalties for violation thereof." Judiciary.

S. B. No. 81, by Taylor: "An Act to amend Sections 10904 and 10908 of the Revised Codes of Montana, 1921, relating to unfair discrimination in purchase price and sales price of commodities, and repealing all Acts and parts of Acts in conflict herewith." Judiciary.

S. B. No. 82, by Committee on Insurance: "An Act to amend Section 6280 of the Revised Codes of the State of Montana of 1921 relating to contingency reserves of life insurance companies." Insurance.

S. B. No. 83, by Oliver: "An Act to amend Section 6039 of the Revised Codes of Montana of 1921, as amended by Chapter 9 of the Laws of the Eighteenth Legislative Assembly, relating to liability of stockholders and providing means for paying and collecting said liability." Banks and Banking.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 4, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee of the Whole, having had under consideration Business on General File, report as follows:

That S. B. No. 41 do pass.

That H. B. No. 3 be amended in Section 1 by striking out in line 3 the word "every" and inserting in lieu thereof the word "each;" also in Section 1 by striking out in line 9, commencing with the word "matter" the words "in six point type."

In Section 2 by striking out in line 4 the word "his" and inserting in lieu thereof the word "such."

In Section 3, by adding in line 2, of the committee's amendment after the word "let" the words "by the State Purchasing Agent," subject to the approval of the State Board of Examiners."

And that, as so amended, it be concurred in.

That H. J. M. No. 3 be concurred in.

That consideration of H. J. R. No. 1 be passed for the day.

Respectfully,

J. F. CONE, Secretary of Senate.

## CONSIDERATION OF GENERAL ORDERS

Moved by Hanson, duly seconded and carried, that House now resolve itself into Committee of the Whole for Consideration of General Orders.

Mr. Dellwo in the chair.

Committee arose.

Mr. Speaker in the chair.

The Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration House Joint Memorial No. 1 (Senate amendment), House Bills Nos. 186, 191, 194, 95, 202, 208, 214, 216, 226, respectfully report as follows: That

House Joint Memorial No. 1, that Senate amendment be concurred in.

House Bill No. 186 be amended as follows:

Section 1. By striking out in line 1 of the printed bill the figure "1" and inserting in lieu thereof the figures "8339."

The Enacting Clause. By inserting before the words and figures "Section 1" and by making a new paragraph "that" the words of all that portion commencing with the words and figures "Section 1."

And as so amended House Bill No. 186 do pass.

House Bill No. 191 do pass.

House Bill No. 194 do pass.

House Bill No. 95 be amended as follows:

Section 4. By striking out in line 1 of the printed bill the word "county" and inserting in lieu thereof the word "city," and by striking out the word "twenty-five" in line 2 of the printed bill and inserting in lieu thereof the word "twenty."

And that as so amended, House Bill No. 95 do pass.

House Bill No. 202 do pass.

House Bill No. 208 do pass.

House Bill No. 214 do pass.

House Bill No. 216 be amended as follows:

Section 1. By adding at the end of line 4 "except when such attachment or execution is made for board and room while serving on said jury."

And that as so amended, House Bill No. 216 do pass.

House Bill No. 226 be amended as follows:

Section 1. By striking out in line 17 the word "to" after the word "paid" and inserting in lieu thereof the word "by;" by striking out in line 34 the word "place" and inserting in lieu thereof the words "town or city."

And that as so amended, House Bill No. 226 do pass.

DENNIS A. DELLWO, Chairman.

Moved by Dellwo, duly seconded, that report of Committee of the Whole be adopted.

Moved by Fitzgerald of Silver Bow, as substitute motion, duly seconded, that House Bill No. 194 be segregated from the report.

Question arising on substitute motion, roll call was demanded, and the motion failed to carry by the following vote:

Ayes: Anderson, Beadle, Burns, Dellwo, Fitzgerald, Holton, Larsen (Sheridan), Larson (Sheridan), Lincoln, Moriarity, Plank, Tinsley, Troy. Total—13.

Noes: Akofer, Andrus, Berryman, Besancon, Brandt, Budas, Clarke, Cusick, Davis, Donaldson, Duncan, Eaton, Fairgrieve, Fitzgarrald, Flachsenhar, Flynn, Fox, Gordon, Graybill, Green, Hanson, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kinville, Larson (Cascade), Leavens, Lemmon, Loble, Masters, Merritt, Miller, Moss, Moulton, Murphy, McAfee, McCarty, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plumer, Rice, Ruffcorn, Rupert, Ryder, Sales, Schoening, Shields, Smith (Lewis and Clarke), Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Waite, Walker, Walton, White, Wold, Wuerthner, Zeh, Mr. Speaker. Total—75.

Absent and not voting: Ainsworth, Bergstrom, Campbell, Caplis, Castles, Doran, Fletcher, Hardcastle, Kennedy, Meagher, Morris, Mulholland, Reed. Total—13.

Question arising on original motion that report be adopted, same carried.

Moved by Lemmon, duly seconded, and carried that House recess until 2:30 P. M.

## AFTERNOON SESSION

House resumed at 2:30 P. M.

Mr. Speaker in the chair.

There being no objection, House reverted to Order of Business No. 5:

## INTRODUCTION OF BILLS AND MEMORIALS

The following bills were introduced, read first and second times by title only and referred to committees as follows:

House Bill No. 295, introduced by Plumer: A Bill for an Act entitled: "An Act to amend Section 2235, Revised Codes of Montana, 1921, relating to sales of tax title property by Boards of County Commissioners." Referred to Townships and Counties Committee.

House Bill No. 296, introduced by Loble and Keeley: A Bill for an Act entitled: "An Act to repeal Section 7798 of the Revised Codes of Montana for 1921, requiring that the entire time of a domestic servant belongs to the master, and the time of other servants to such an extent as is usual in the business in which they serve not exceeding in any case ten hours in the day." Referred to Labor Committee.

House Bill No. 297, introduced by Parkin and Gordon: A Bill for an Act entitled: "An Act providing for the registration of all marriages and divorces occurring within the State of Montana with the State Registrar of Vital Statistics, fixing fees for the issuance of marriage licenses and for recording marriage licenses and certificates and decrees of divorce, providing for the necessary forms and blanks; making violation of this Act a misdemeanor and providing a penalty therefor and repealing Sections 5713, 5716, 5718 and 5720 of the Revised Codes of 1921 of the State of Montana." Referred to Committee on State Boards and Officers.

House Joint Memorial No. 4, introduced by Gordon, Akofer, Dellwo, Brandt and Peterson: "A Memorial to the Congress of the United States calling attention to the serious need of funds for the support of public schools located in sections of the State where large tracts of Indian lands are exempt from taxation and calling upon the congress to appropriate funds for assistance in the support of public schools so situated."

Whereas, Many Indian children are now attending public schools in Montana near their places of residence; and

Whereas, These public schools are frequently in serious need of funds for maintenance; and

Whereas, Vast tracts of land owned by Indians are exempt from taxation; and

Whereas, An undue burden of school support devolves upon the few taxpayers in these regions; therefore, be it

Resolved, by the Nineteenth Legislative Assembly of the State of Montana that, in fairness to all children attending the public schools in such parts of the State as have Indian lands exempt from taxation, federal funds should be provided for assistance in the support of such public schools; and

Be It Further Resolved, That Congress be petitioned to appropriate funds for assistance in making it possible to finance a satisfactory educational program in these seriously handicapped districts;

Be It Further Resolved, That a copy of this Memorial be forwarded to the Senate and House of Representatives of the United States and to each of the Senators and Representatives from Montana in Congress." Referred to Committee on Education.

## MOTIONS AND RESOLUTIONS

Moved by Caplis, duly seconded and carried, that House Bill No. 203 be placed at the bottom of the list of General Orders.

The Committee on Printing reported as follows:



Mr. Speaker: We, your Committee on Printing, beg leave to report the following bills correctly printed:

House Bills 247, 84, 54, 63, 140, 238.

FRED W. ZEH, Chairman.

The Committee on Engrossing reported as follows:

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed:

House Bills Nos. 77, 29, 105, 119, 160, 108.

BERRYMAN, Chairman.

At the request of Leavens, there being no objections, House reverted to Order of Business No. 4:

#### REPORT OF STANDING COMMITTEES

The following reports were received from Standing Committees:

Mr. Speaker: We, your Committee on Livestock and Public Ranges, having had under consideration House Memorial No. 3, introduced by Burns, respectfully report as follows: That House Memorial No. 3 do pass.

LEAVENS, Chairman.

On motion of Leavens, report adopted.

Mr. Speaker: We, your Committee on Livestock and Public Ranges, having had under consideration House Bill No. 284, introduced by the Committee on Livestock and Public Ranges, respectfully report as follows: That House Bill No. 284 do pass.

LEAVENS, Chairman.

On motion of Leavens, report adopted.

Mr. Speaker: We, your Committee on Livestock and Public Ranges, having had under consideration House Bill No. 289, introduced by the Committee on Livestock and Public Ranges, respectfully report as follows: That House Bill No. 289 do pass.

LEAVENS, Chairman.

On motion of Leavens, report adopted.

Mr. Speaker: We, your Committee on Livestock and Public Ranges, having had under consideration House Bill No. 246, introduced by Masters, respectfully report as follows: That House Bill No. 246 do not pass.

LEAVENS, Chairman.

On motion of Leavens, report adopted.

Mr. Speaker: We, your Committee on Insurance, having had under consideration House Bill No. 73, introduced by Flynn, on request, respectfully report as follows: That House Bill No. 73 do not pass.

PEAT, Chairman.

On motion of Peat, report adopted.

Mr. Speaker: We, your Committee on Banks and Banking, having had under consideration House Bill No. 277, introduced by Committee on Banks and Banking, respectfully report as follows: That House Bill No. 277 do pass.

JOHNSON, Chairman.

On motion of Johnson of Fergus, report adopted.

Mr. Speaker: We, your Committee on Banks and Banking, having had under consideration House Bill No. 218, introduced by Besancon, respectfully report as follows: That House Bill No. 218 do pass.

JOHNSON, Chairman.

On motion of Johnson of Fergus, report adopted.

Mr. Speaker: We, your Committee on Banks and Banking, having had under consideration House Bill No. 276, introduced by Committee on Banks and Banking, respectfully report as follows: That House Bill No. 276

do pass.

JOHNSON, Chairman.

On motion of Johnson of Fergus, report adopted.

Mr. Speaker: We, your Committee on Railroads and Transportation, having had under consideration House Bill No. 274, introduced by Loble, respectfully report as follows: That House Bill No. 274 do not pass.

HAWLEY, Chairman.

On motion of Hawley, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 262, introduced by Loble, respectfully report as follows: That House Bill No. 262 do pass.

BURNS, Chairman.

On motion of Burns, report adopted.

### MOTIONS AND RESOLUTIONS

Moved by Duncan, duly seconded and carried, that Committee on Improvements and Manufacturing be given more time for consideration of House Bills No. 229 and No. 230, and No. 242.

### CONSIDERATION OF GENERAL ORDERS

Moved by Troy, duly seconded and carried, that House resolve itself into Committee of the Whole for Consideration of General Orders, and that debate be limited to four minutes.

Mr. Berryman in the chair.

The committee arose.

Mr. Speaker in the chair.

The Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bills Nos. 227, 228, 224, 151, 152, 174, 192, 209, 210, 211, 178, respectfully report as follows:

That House Bill No. 227 do pass.

That House Bill No. 228, do pass.

That House Bill No. 224 do pass.

That House Bill No. 151 be amended as follows:

By adding: "Section 2. All Acts or parts of Acts in conflict herewith are hereby repealed." Also adding: "Section 3. This Act shall be in full force and effect from and after its passage and approval."

And that, as amended, House Bill No. 151 do pass.

That House Bill No. 152 be re-referred to Committee on State Boards and Officers.

That House Bill No. 174 be amended as follows:

The Title, by adding after the word "treasurer" in line 4 the following, "and providing a penalty for his failure so to do."

Section 1, by adding thereto, in line 7, after the word "prescribe" the following, "and for all such moneys by him collected and not remitted by him to the State Treasurer within five days from the time herein required, he shall pay interest at the rate of 10% per annum."

And that, as amended, House Bill No. 174 do pass.

That House bill No. 192 do pass.

That House Bill No. 209 do pass.

That House Bill No. 210 do pass.

That House Bill No. 211 do pass.

That House Bill No. 178 do pass.

BERRYMAN, Chairman.

Moved by Berryman, duly seconded, that report be adopted.

Moved by Flachsenhar, duly seconded, that House Bill No. 227 be segregated from the report.

Question arising on motion to segregate, same carried.

Moved by Flachsenhar, duly seconded, that House Bill No. 228 be segregated from the report.

Question arising on motion to segregate, same carried.

Moved by Flachsenhar, duly seconded and carried, that House Bills No. 227 and No. 228 be re-referred to the Committee on Banks and Banking.

Question arising on original motion that report of the Committee of the Whole, with House Bills No. 227 and No. 228 segregated, be adopted, same carried.

There being no objections, House reverted to Order of Business No. 6:

### MOTIONS AND RESOLUTIONS

Moved by Flachsenhar, duly seconded and carried, that House reconsider its action of this morning on House Bill No. 226 in Committee of the Whole report.

Moved by Flachsenhar, duly seconded and carried, that House Bill No. 226 be re-referred to the Committee on Banks and Banking.

### THIRD READING OF HOUSE BILLS

House Bill No. 29, introduced by Burns, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Caplis, Castles, Clarke, Cusick, Davis, Dellwo, Doran, Duncan, Eaton, Flachsenhar, Fletcher, Flynn, Fox, Gordon, Graybill, Green, Hanson, Hardcastle, Harris, Hawley, Hedrick, Higham, Holt, Joffray, Johnson (Valley), Keeley, Kelly, Kennedy, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Lincoln, Loble, Masters, Meagher, Merritt, Moss, Moulton, Mulholland, McAfee, McCarty, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Reed, Rice, Ruffcorn, Rupert, Ryder, Sales, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Strange, Throssel, Tinsley, Waite, Walker, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—81.

Noes: Fitzgerald (Silver bow). Total—1.

Absent and not voting: Andrus, Beadle, Campbell, Donaldson, Fairgrieve, Fitzgarrald (Ravalli), Hoffman, Holton, Johnson (Fergus), Kinville, Leavens, Lemmon, Miller, Moriarity, Morris, Murphy, Stoddard, Troy, Wold. Total—19.

House Bill No. 77, introduced by Holt, having been read three several times, title and history agreed to, was killed by the following vote:

Ayes: Ainsworth, Andrus, Berryman, Clarke, Duncan, Flachsenhar, Gordon, Graybill, Hanson, Harris, Hawley, Hedrick, Higham, Holt, Johnson (Fergus), Johnson (Valley), Larson (Cascade), Loble, Masters, Moss, Nagle, Parkin, Peat, Ryder, Sales, Schoening, Shields, Steeves, White, Wuerthner, Zeh, Mr. Speaker. Total—32.

Noes: Akofer, Anderson, Bergstrom, Besancon, Brandt, Budas, Burns, Caplis, Castles, Cusick, Davis, Dellwo, Doran, Eaton, Fitzgerald (Silver Bow), Fletcher, Flynn, Fox, Green, Hardcastle, Holton, Joffray, Keeley, Kelly, Kennedy, Larsen (Sheridan), Larson (Sheridan), Lemmon, Lincoln, Meagher, Merritt, Moriarity, Moulton, Mulholland, Murphy, McAfee, McCarty, McGrath, Nelson, Nelstead, Patterson, Peterson, Plank, Plumer, Reed, Rice, Ruffcorn, Rupert, Smith (Lewis and Clark), Smith (Beaverhead), Stoddard, Strange, Throssel, Tinsley, Troy, Waite, Walker, Walton. Total—58.

Absent and not voting: Beadle, Campbell, Donaldson, Fairgrieve, Fitzgarrald (Ravalli), Hoffman, Kinville, Leavens, Miller, Morris, Wold. Total—11.



House Bill No. 105, introduced by McAfee, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Caplis, Castles, Clarke, Cusick, Davis, Doran, Duncan, Eaton, Fitzgerald (Silver Bow), Flachsenhar, Fletcher, Flynn, Fox, Gordon, Graybill, Green, Hanson, Hardcastle, Harris, Hawley, Hedrick, Higham, Holt, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Lincoln, Loble, Masters, Meagher, Merritt, Moriarity, Moss, Moulton, Murphy, McAfee, McCarty, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Reed, Rice, Ruffcorn, Rupert, Sales, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Tinsley, Troy, Waite, Walton, White, Wuerthner, Zeh, Dellwo, Mr. Speaker. Total—84.

Noes: None.

Absent and not voting: Beadle, Donaldson, Fairgrieve, Fitzgarrald (Ravalli), Hoffman, Kelly, Kennedy, Kinville, Leavens, Lemmon, Miller, Morris, Mulholland, Ryder, Walker, Wold, Campbell. Total—17.

House Bill No. 108, introduced by Davis, Flachsenhar, McAfee, Moss, Smith (Beaverhead), and Waite, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Berryman, Besancon, Brandt, Budas, Burns, Caplis, Castles, Clarke, Cusick, Davis, Dellwo, Doran, Duncan, Fitzgarrald (Ravalli), Fitzgerald (Silver Bow), Fleachsenhar, Fletcher, Flynn, Fox, Gordon, Graybill, Green, Hanson, Hardcastle, Harris, Hawley, Hedrick, Higham, Holt, Holton, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kennedy, Larson (Cascade), Larsen (Sheridan), Lincoln, Loble, Masters, Merritt, Moriarity, Moss, Moulton, Mulholland, Murphy, McAfee, McCarty, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Reed, Rice, Ruffcorn, Rupert, Ryder, Sales, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Tinsley, Troy, Waite, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—84.

Noes: None.

Absent and not voting: Beadle, Bergstrom, Campbell, Donaldson, Eaton, Fairgrieve, Hoffman, Joffray, Kinville, Larson (Sheridan), Leavens, Lemmon, Meagher, Miller, Morris, Walker, Wold. Total—17.

House Bill No. 119, introduced by Besancon, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Berryman, Besancon, Brandt, Budas, Burns, Caplis, Castles, Clark, Cusick, Davis, Dellwo, Doran, Eaton, Fitzgarrald (Ravalli), Fitzgerald (Silver Bow), Flachsenhar, Fletcher, Fox, Gordon, Graybill, Green, Hanson, Hardcastle, Harris, Hawley, Hedrick, Higham, Holt, Holton, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kennedy, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Lincoln, Loble, Masters, Merritt, Moriarity, Moss, Moulton, Mulholland, Murphy, McAfee, McCarty, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Rice, Ruffcorn, Rupert, Ryder, Sales, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Throssel, Tinsley, Troy, Waite, Walton, White, Wuerthner, Zeh, Andrus, Duncan, Mr. Speaker. Total—83.

Noes: None.

Absent and not voting: Beadle, Bergstrom, Campbell, Donaldson, Fairgrieve, Flynn, Hoffman, Joffray, Kinville, Leavens, Lemmon, Meagher, Miller, Morris, Reed, Strange, Walker, Wold. Total—18.

House Bill No. 160, introduced by Duncan, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Berryman, Besancon, Brandt, Budas, Burns, Caplis, Castles, Clarke, Cusick, Davis, Dellwo, Doran,

Duncan, Fitzgerald (Silver Bow), Flynn, Fox, Gordon, Graybill, Green, Hardecastle, Harris, Hedrick, Higham, Holt, Holton, Joffray, Johnson (Fergus), Kelly, Kennedy, Lincoln, Masters, Meagher, Moss, Moulton, Murphy, McCarty, McGrath, Patterson, Peat, Peterson, Plank, Plumer, Rice, Ruffcorn, Rupert, Schoening, Shields, Smith (Beaverhead), Steeves, Throssel, Tinsley, Troy, Wuertner, Zeh, Mr. Speaker. Total—59.

Noes: Fitzgarrald (Ravalli), Flachsenhar, Fletcher, Hanson, Hawley, Johnson (Valley), Keeley, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Loble, Moriarity, Mulholland, McAfee, Nagle, Nelstead, Parkin, Reed, Ryder, Sales, Smith (Lewis and Clark), Stoddard, Strange, Walton, White. Total—25.

Absent and not voting: Beadle, Bergstrom, Campbell, Donaldson, Eaton, Fairgrieve, Hoffman, Kinville, Leavens, Lemmon, Merritt, Miller, Morris, Nelson, Waite, Walker, Wold. Total—17.

There being no objections, House reverted to Order of Business No. 2:

### NOTICES

Authors give notice that they will on tomorrow or some subsequent day introduce bills as follows:

By Moss and Zeh: A Bill for an Act entitled: "An Act to amend Section 4465, Revised Codes of Montana, 1921, relating to the general and permanent powers of the Board of County Commissioners."

By Rice: A Bill for an Act entitled: "An Act to amend Section 2095 of the Revised Codes of Montana of 1921 relating to the collection and lien of taxes on the net proceeds of mines."

By McAfee: A Bill for an Act entitled: "An Act to create the Horticultural Revolving Fund and its return to the General Fund."

By Wold: A Bill for an Act entitled: "An Act to provide for the payment of compensation into the Industrial Administrative Fund of the State of Montana if an employee covered by the compensation, as provided by Chapter 213, Revised Codes Montana, 1921, known as the 'Workmen's Compensation Act' dies as the result of injury and there is no liability for payment, or when the liability for such payment is removed; and providing for the appropriation and use of such money after its payment into such fund."

By Cusick, Lincoln, Anderson, Miller, Besancon, McAfee and Strange: A Bill for an Act entitled: "An Act regulating the registration and licenses of motor vehicles pertaining to the manner of issuing license blanks and the fees therefor; making the County Treasurers of the several counties of the State ex-officio Registrars of Motor Vehicles; amending Section 1755 of the Revised Codes of Montana of 1921, and repealing all Acts and parts of Acts conflicting therewith."

By Holton: A Bill for an Act entitled: "An Act to amend Sections 2099, 2101, 2103 and 2105 of the Revised Codes of 1921 of the State of Montana, relating to the taxation of the property of freight line companies doing business in Montana."

By Zeh, Duncan, Berryman and Hedrick: A Bill for an Act entitled: "An Act authorizing the city or town council of all cities and towns to create and maintain a police department, and provide for the exclusive management and control thereof, the appointment, compensation, regulation, discipline and removal of all members thereof and repealing Sections 5097 to 5101 inclusive, and Sections 5105 to 5108 inclusive, and Section 5390 of the Revised Codes of Montana of 1921, and Chapter 119 of the Session Laws of the Eighteenth Legislative Assembly of 1923, and all Acts and parts of Acts in conflict herewith."

By Shields: A Bill for an Act entitled: "An Act to appropriate money for the purchase and erection of a suitable tablet to the memory of former Governor Edwin L. Norris."

## REPORT OF STANDING COMMITTEES

The following report was received from Standing Committee:

Mr. Speaker: We, your Committee on Constitutional Amendments, having had under consideration House Bill No. 31, introduced by Wuerthner and Loble, respectfully report as follows: That House Bill No. 31 do not pass.

HOLT, Chairman.

Moved by Holt, duly seconded, that report be adopted.

Moved by Loble, as substitute motion, duly seconded, that House Bill No. 31 be printed and placed on General Orders.

Moved by Holt, duly seconded, as substitute motion for all motions pending, that report of committee be not adopted and that House Bill No. 31 be re-referred to Committee on Constitutional Amendments.

Question arising an substitute motion for all pending motions, same carried.

## MOTIONS AND RESOLUTIONS

Moved by Gordon, duly seconded and carried, that House Bills No. 209 and No. 210 be recalled from Engrossing and placed at head of list on General Orders.

Moved by Ruffcorn, duly seconded and carried, that House adjourn until 10:30 A. M., Friday, February 6, 1925.

R. C. BRICKER, Speaker.

Attest: H. J. FAUST, Chief Clerk.

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THIRTY-THIRD DAY

House of Representatives,  
Helena, Montana, February 6, 1925.

House met pursuant to adjournment at 10:30 A. M.

Mr. Speaker in the chair.

Prayer by the Chaplain.

On roll call all preesnt except: Morris and Fitzgarrald, excused on account of sickness; and Moulton, absent.

The Journal Committee reported as follows:

Mr. Speaker: We, your Committee on Journal, have this day examined the Journal for the 32nd Legislative day and found the same correct.

PEARL I. SMITH, Chairman.

On motion of Smith, report adopted.

The Committee on Engrossing reported as follows:

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed:

House Bills Nos. 214, 208, 178, 211, 186, 95, 191, 202, 136, 216, 194 and House Joint Memorial No. 1.

BERRYMAN, Chairman.

## NOTICES

Authors gave notice that they will on tomorrow or some subsequent day introduce bills as follows:

By Donaldson: A Bill for an Act entitled: "An Act to amend Section 4917 of the Revised Codes of Montana of 1921, relating to the fees of county clerks."



By Campbell: "A Bill for an Act entitled: "An Act enacting, adding to and inserting in Chapter 121, Session Laws of the Eighteenth Legislative Assembly, relating to merging of the corporate existence and government of any county in the State and of all the cities and towns situated therein into one municipal corporation and government, a new section to be designated Section 57-A, to provide for levy of special taxes in specially created districts therein."

By Plank and Besancon: A Bill for an Act entitled: "An Act to amend Section 12165 of the Montana Revised Codes of 1921, relative to the lien and collection of undertakings for the appearance of persons charged with a criminal offence.

By Fitzgarrald, by request: A Bill for an Act entitled: "An Act to amend Section 4874 of the Political Code, Revised Codes of Montana, 1921, as amended by Chapter 82 of the Laws of 1923, Eighteenth Legislative Assembly of the State of Montana, relating to the authority of the County Commissioners to fix compensation and appointment of deputy county officers.

By Walton: A Bill for an Act entitled: "An Act to amend Section 3588, Revised Codes of Montana of 1921, as amended by Chapter 41 of the Session Laws of the Eighteenth Legislative Assembly of Montana of 1923, relating to the delivery of grain by public warehousemen, the duty and liability of warehousemen and the duties of the grain inspector."

By Committee on Insurance: A Bill for an Act entitled: "An Act prescribing the powers and duties of the State Fire Marshal and prescribing the penalties for the violation of this Act.

#### REPORTS OF STANDING COMMITTEES

The following reports were received from Standing Committees:

Mr. Speaker: We, your Committee on Constitutional Amendments, having had under consideration, House Bill No. 22, introduced by Graybill, respectfully report as follows: That House Bill No. 22 do not pass.

HOLT, Chairman.

On motion of Holt, report adopted.

Mr. Speaker: We, your Committee on Titles, having had under consideration House Bill No. 163, introduced by Strange and Fitzgarrald, respectfully report as follows: That by reason of inconsistent and ambiguous amendments made in Committee of the Whole, that said House Bill No. 163 be referred to the Judiciary Committee for making the amendments consistent.

W. E. KEELEY, Chairman.

On motion of Keeley, report adopted.

Mr. Speaker: We, your Committee on Titles, having had under consideration House Bill No. 145, introduced by the Committee on Irrigation and Water rights, respectfully report as follows: That said House Bill No. 145 be referred to the Committee on Irrigation and Water Rights for amendment in the body thereof. We are unable to formulate a proper title until our recommendation is carried into effect.

W. E. KEELEY, Chairman.

On motion of Keeley, report adopted.

The Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 175, introduced by Flynn and Andrus, respectfully report as follows: That House Bill No. 175 be amended in the last paragraph of Section 1 by inserting after the word "God," the words "disaster, catastrophe or accident;" and as so amended we recommend the bill do pass.

DONALDSON, Chairman.

On motion of Donaldson, report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 198, introduced by Hedrick, respectfully report as follows: That House Bill No. 198 do pass.

DONALDSON, Chairman.

On motion of Donaldson, report adopted.

Mr. Speaker: We, your Committee on Banks and Banking, having had under consideration House Bill No. 228, introduced by Committee on Banks and Banking, respectfully report as follows: That House Bill No. 228, be amended as follows: The title amended to read: "An Act to amend Section 6109-D of Chapter 13 of Part III of the Civil Code of the Revised Codes of Montana of 1921, as enacted and added to said Chapter 13 by Chapter 90 of the Laws of the Eighteenth Legislative Assembly, relating to the assessment on the capital stock of banks to make good their impairment."

The first two lines of Section 1 be amended to read:

Section 1. That Section 6109-D of the Revised Codes of Montana of 1921, as enacted by Chapter 90 of the Laws of the Eighteenth Legislative Assembly, be and the same is hereby amended to read as follows:

That House Bill No. 228 as amended do pass.

JOHNSON, Chairman.

On motion of Johnson of Fergus, report adopted.

Mr. Speaker: We, your Committee on Banks and Banking, having had under consideration House Bill No. 227, introduced by Committee on Banks and Banking, respectfully report as follows: That House Bill No. 227 be amended as follows: The title amended to read: "An Act to amend Section 6109-A of Chapter 13 of Part III of the Civil Code of the Revised Codes of Montana of 1921, as enacted and added to said Chapter 13 by Chapter 90 of the Laws of the Eighteenth Legislative Assembly, relating to the power of the superintendent of banks to prescribe rules and regulations for the administration of the banking laws of Montana." The first two lines of Section 1 be amended to read:

Section 1. That Section 6109-A of the Revised Codes of Montana of 1921 as enacted by Chapter 90 of the Laws of the Eighteenth Legislative Assembly be, and the same is hereby amended to read as follows:

That House Bill No. 227 as amended do pass.

JOHNSON, Chairman.

On motion of Johnson of Fergus, report adopted.

Mr. Speaker: We, your Committee on Banks and Banking, having had under consideration House Bill No. 226, introduced by Committee on Banks and Banking, respectfully report as follows: That House Bill No. 226 be amended as follows: The title amended to read:

"An Act to amend Section 6109-E of Chapter 13 of Part III of the Civil Code of the Revised Codes of Montana of 1921, as enacted and added to said Chapter 13 by Chapter 90 of the Laws of the Eighteenth Legislative Assembly, relating to banks going into voluntary liquidation."

The first two lines of Section 1 to be amended to read:

Section 1. That Section 6109-E of the Revised Codes of Montana of 1921 as enacted by Chapter 90 of the Laws of the Eighteenth Legislative Assembly be, and the same is hereby amended to read as follows:

That House Bill No. 226 as amended do pass.

JOHNSON, Chairman.

On motion of Johnson of Fergus, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 47, by Graybill, respectfully report as follows: That House Bill No. 47 be amended as follows:

Section 1. By striking out all of said section after the words "place of sale" in line 29, thereof and inserting in lieu thereof the following: "When any such power of sale is executed as aforesaid, and an attorney's fee is provided for in the instrument but the amount thereof is not specified, and the services of an attorney have actually been employed, the mortgagee shall be entitled to add to the amount due under such instrument, one attorney's fee equal to seven per cent of the first thousand dollars due under such instrument, and three per cent of any further amount so due, provided that the minimum fee shall be twenty-five dollars."

And as amended said bill do pass.

BURNS, Chairman.

On motion of Burns, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 199, introduced by Hoffman, Bergstrom and Merritt, respectfully report as follows: That House Bill No. 199 do not pass.

BURNS, Chairman.

On motion of Burns, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 271, introduced by Hoffman, respectfully report as follows: That House Bill No. 271 do not pass.

BURNS, Chairman.

On motion of Burns, report adopted.

Mr. Speaker: We, the majority of your Committee on Judiciary, having had under consideration House Bill No. 213, introduced by Fitzgerald of Silver Bow, respectfully report as follows: That House Bill No. 213 do not pass.

BURNS,  
SCHOENING,  
FLACHSENHAR,  
SMITH (Lewis and Clark),  
JOHNSON (Fergus),  
CAMPBELL,  
BESANCON,  
LEAVENS,  
AINSWORTH,  
NELSTEAD.

Mr. Speaker: We, the minority of your Committee on Judiciary, having had under consideration House Bill No. 213, introduced by Fitzgerald of Silver Bow, respectfully report as follows: That House Bill No. 213 do pass.

JAMES T. FITZGERALD,  
BEADLE.

Moved by Burns, duly seconded, that majority report be adopted.

Moved by Fitzgerald, as substitute motion, duly seconded, that minority report be adopted.

Question arising on substitute motion, same failed.

Question arising on original motion, same carried.

Mr. Speaker: We, your Committee on New Counties and Divisions, having had under consideration Senate Bill No. 30, introduced by Leuthold, respectfully report as follows: That Senate Bill No. 30 be amended as follows:

By striking out the words "Fifteen hundred square miles" and inserting in lieu thereof the words "Twelve hundred square miles;" in line 10, Section 1, and striking out the words "Twelve hundred square miles" and



inserting in lieu thereof the words "One thousand square miles," in line 15, Section 1, and as so amended we recommend that the bill do pass.

SCHOENING, Chairman.

On motion of Schoening, report adopted.

Mr. Speaker: We, the majority of your Committee on New Counties and Divisions, having had under consideration House Bill No. 263, introduced by Moss, McAfee, Lincoln and Cusick, respectfully report as follows: That House Bill No. 263 do not pass.

SCHOENING,  
MORIARITY,  
DUNCAN,  
FLYNN,  
DELLWO.

Mr. Speaker: I, the minority of your Committee on New Counties and Divisions, having had under consideration House Bill No. 263, respectfully report as follows: That House Bill No. 263 do pass.

W. M. CUSICK.

Moved by Schoening, duly seconded, that majority report be adopted.

Moved by Moss as substitute motion, duly seconded, that House Bill No. 263 be re-referred to Committee on New Counties and Divisions in order that the introducer of the bill might appear before the committee and present some information relative to the matter.

Question arising on substitute motion, same carried.

Mr. Speaker: We, your Committee on Horticulture, having had under consideration House Bill No. 281, introduced by the Committee on Horticulture, respectfully report as follows: That House Bill No. 281 do pass.

McAFEE, Chairman.

On motion of McAfee, report adopted.

Mr. Speaker: We, your Committee on Horticulture, having had under consideration House Bill No. 280, introduced by the Committee on Horticulture, respectfully report as follows: That House Bill No. 280 do pass.

McAFEE, Chairman.

On motion of McAfee, report adopted.

Mr. Speaker: We, your Committee on Horticulture, having had under consideration House Bill No. 282, introduced by the Committee on Horticulture, respectfully report as follows: That House Bill No. 282 do pass.

McAFEE, Chairman.

On motion of McAfee, report adopted.

Mr. Speaker: We, your Committee on Insurance, having had under consideration Substitute House Bill No. 72, introduced by Committee on Insurance, respectfully report as follows: That Substitute House Bill No. 72 do not pass.

PEAT, Chairman.

On motion of Peat, report adopted.

Mr. Speaker: We, your Committee on Irrigation and Water Rights, having had under consideration House Bill No. 253, introduced by Burns, respectfully report as follows: That House Bill No. 253 do pass.

STRANGE, Chairman.

On motion of Strange, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 231, respectfully report as follows: That House Bill No. 231 be amended as follows:

By striking out everything following the word "court" in line 12, Section 1, and inserting the following: "the person authorizing such sale or judgment creditor, or their attorney, shall furnish to such officer or person

making such sale an affidavit, accompanied by a copy of tax receipt, or receipts, stating that all taxes theretofore assessed and levied against said property to be sold, and upon which such taxes are a prior lien, have been paid, and by whom, in the county and city wherein such property has been assessed, if known, after the exercise of due diligence and inquiry made by such person or officer making such sale. In the event that such taxes, or any part thereof, have been paid by the person authorizing such sale or judgment creditor, the officer or person making such sale shall add such part of such taxes so paid by such person or judgment creditor as a part of the costs of making such sale, and shall, out of the proceeds of such sale, repay the same to such person or judgment creditor as costs advanced by him or them."

As so amended it is recommended that the same do pass.

RUFFCORN, Chairman.

On motion of Ruffcorn, report adopted.

Mr. Speaker: We, your Committee on Public Utilities and State Commissions, having had under consideration House Bill No. 176, introduced by Wuerthner and Shields, respectfully report as follows: That House Bill No. 176 do not pass.

ANDRUS, Chairman.

Moved by Caplis, duly seconded, that report be adopted.

Moved by Wuerthner, duly seconded, that House Bill No. 176 be printed and placed on General Orders.

Question arising on substitute motion, same carried.

Mr. Speaker: We, your Committee on Public Utilities and State Commissions, having had under consideration House Bill No. 232, introduced by Ruffcorn and Loble, respectfully report as follows: That House Bill No. 232 be referred to Appropriation Committee.

ANDRUS, Chairman.

On motion of Andrus, report adopted.

The Committee on Enrolling reported as follows:

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled:

House Bill No. 124.

McAFEE, Chairman.

## INTRODUCTION OF BILLS AND MEMORIALS

The following bills were introduced, read first and second times by title only and referred to committees as follows:

Senate Bill No. 41, introduced by Spencer: "An Act establishing and defining the boundary line between Yellowstone and Carbon Counties." Referred to Committee on New Counties and Divisions.

House Bill No. 298, introduced by Beadle and Larson: "A Bill for an Act entitled: "An Act to repeal Section 2481 of the Revised Codes of the State of Montana of the year 1921, and to prevent any board or officer over any school or teacher in any school from excluding from attendance thereon any child or other person by reason of not having been vaccinated." Referred to Committee on Public Health and Sanitary Affairs.

House Bill No. 299, introduced by Rice: A Bill for an Act entitled: "An Act to amend Section 2095 of the Revised Codes of Montana of 1921 relating to the collection and lien of taxes on the net proceeds of mines." Referred to Committee on Revenue and Taxation.

House Bill No. 300, introduced by Committee on Horticulture: "A Bill for an Act entitled: "An Act to create the Horticultural Revolving fund, providing for its administration and its return to the General Fund." Referred to Horticulture.

House Bill No. 301, introduced by Campbell: A Bill for an Act entitled: "An Act to amend Section 10536 of the Revised Codes of Montana

of 1921 relating to persons in certain relations being examined as witnesses." Referred to Judiciary.

House Bill No. 302, introduced by Cusick, Lincoln, Anderson, Miller, Besancon, McAfee, Strange: A Bill for an Act entitled: "An Act regulating the registration and licenses of motor vehicles, pertaining to the manner of issuing license blanks and the fees therefor; making the County Treasurers of the several counties of the State ex-officio Registrars of Motor Vehicles; amending Section 1755 of the Revised Codes of Montana of 1921, and repealing all Acts and Parts of Acts conflicting therewith." Referred to Revenue and Taxation.

House Bill No. 303, introduced by Zeh, Duncan, Berryman, and Hedrick: A Bill for an Act entitled: "An Act authorizing the city or town council of all cities and towns to create and maintain a police department, and provide for the exclusive management and control thereof, the appointment, compensation, regulation, discipline and removal of all members thereof, and repealing Sections 5097 to 5101 inclusive, and Sections 5105 to 5108 inclusive, and Section 5390 of the Revised Codes of Montana of 1921, and Chapter 119 of the Session Laws of the Eighteenth Legislative Assembly of 1923, and all Acts and parts of Acts in conflict herewith." Referred to Affairs of Cities.

House Bill No. 304, introduced by Loble and Keeley: A Bill for an Act entitled: "An Act to repeal Section 7799 of the Revised Codes of Montana for 1921, requiring that a servant must deliver to his master everything that he receives for his account without demand." Referred to Judiciary.

House Bill No. 305, introduced by Moss and Zeh: A Bill for an Act entitled: "An Act to amend Section 4465, Revised Codes of Montana, 1921, relating to the general and permanent powers of the Board of County Commissioners." Referred to Townships and Counties.

House Bill No. 306, introduced by Wold, was read first and second times, second time at length: A Bill for an Act entitled: "An Act to provide for the payment of compensation into the Industrial Administrative fund of the State of Montana if an employee covered by compensation, as provided by Chapter 213, Revised Codes of Montana, 1921, known as the 'Workmen's Compensation Act,' dies as the result of injury and there is no liability for payment, or when the liability for such payment is removed; and providing for the appropriation and use of such money after its payment into such fund." Referred to Appropriations Committee.

House Bill No. 307, introduced by Shields, was read first and second times, second time at length: A Bill for an Act entitled: "An Act to appropriate money for the purchase and erection of a suitable tablet to the memory of former Governor Edwin L. Norris." Referred to Appropriations Committee.

The Speaker gave notice that he was about to sign House Bill No. 124 and thereupon signed the same.

The following bill was read first and second times, by title only, and referred to Judiciary Committee:

House Bill No. 308, introduced by Loble: A Bill for an Act entitled: "An Act to amend Section 7594 of the Revised Codes of Montana of 1921, relative to the contract for sale of personal property." Referred to Judiciary Committee.

At the request of Holt, House reverted to Order of Business No. 2:

## NOTICES

Authors gave notice that they will on tomorrow or some subsequent day introduce bills as follows:

By Holt: A Bill for an Act entitled: "An Act to amend Sections 7213 and 7250 of the Revised Codes of Montana of 1921, and Chapter 71, Laws of the Eighteenth Legislative Assembly of the State of Montana of



1923, relating to the liens of bonds issued by irrigation districts in the State of Montana and the priority of the liens of said bonds and assessments made for the purpose of paying said bonds and the interest thereon; the collection of the taxes and assessments levied for irrigation district and drainage district purposes and requiring County Treasurers to collect, receive and receipt for such irrigation district and drainage district taxes and assessments at the same time upon the same receipt as taxes levied upon real property for county purposes, with certain exceptions, and the sale and transfer of lands within irrigation districts."

### REPORTS OF SELECT COMMITTEES

The Select Committee for proper observance of Lincoln Day reported as follows:

Mr. Speaker: We, your Special Committee for proper observation of Lincoln Day, respectfully beg leave to report that the Hon. John G. Brown will deliver an appropriate address in the House Chambers at 2:30 o'clock P. M. on February 12, 1925. We request that notice be given to, and an invitation to be present, be extended to the members of the Senate and their friends.

WHITE, Chairman.

### MOTIONS AND RESOLUTIONS

Moved by Caplis, duly seconded and carried, that House Bill No. 203 be made Special Order of Business on Tuesday, February 10, at 2:30 P. M.

Moved by Graybill, duly seconded and carried, that House Bill No. 47, which has been reported out of committee, be reprinted before being placed on General Orders.

Moved by Meagher, duly seconded and carried, that House Bill No. 140 be placed at head of list of General Orders.

Moved by Ruffcorn, duly seconded and carried, that House Bills Nos. 63 and 54 respectively be made Special Order of Business this afternoon at 3:00 o'clock.

Moved by Flachsenhar, duly seconded and carried, that House Bills No. 226, No. 227 and No. 228 be placed following House Bill No. 140 at the head of the list of General Orders.

Moved by Ruffcorn, duly seconded and carried, that House Bill No. 193 be made Special Order of Business for Monday, February 9, at 3:00 o'clock P. M.

Mr. Speaker announced that the 125 boys returning from the Vocational Congress at Bozeman to the different parts of the State where they live, were waiting outside the doors of the hall to be admitted to visit the session.

Moved by Ruffcorn, duly seconded and carried, that House recess for ten minutes in order to allow the boys to enter and be seated.

House resumed.

Mr. Speaker in the chair.

### CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

The following message was received from the Governor:

Helena, February 5, 1925.

The Speaker, House of Representatives,

Helena, Montana.

I have the honor to advise you that I have this day approved the following measures:

H. B. No. 80—Relating to the annual report of County Clerks.

H. B. No. 81—Relating to the quarterly settlement and statement of the County Treasurer.

J. E. ERICKSON, Governor.

Moved by Ruffcorn, duly seconded and carried, that messages from the Senate be considered read at length, and that the Journal so show.

The following messages were received from the Senate:

Helena, Montana, February 5, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that H. B. No. 3, introduced by Besancon, was this day read third time and concurred in as amended, and is herewith transmitted to the House for concurrence in Senate amendments.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 5, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that H. J. M. No. 3, introduced by Hoffman and Hanson, was this day read three several times and concurred in, title agreed to, and is herewith transmitted to the House.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 5, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that S. B. No. 41, introduced by Spencer, was this day read three several times and passed, title agreed to and is herewith transmitted to the House for concurrence.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 5, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read first and second time and referred to the Standing Committees:

H. B. No. 6—Public Morals.

H. B. No. 56—Education.

H. B. No. 118—Education.

H. B. No. 126—Finance and Claims.

H. B. No. 149—Public Buildings.

H. B. No. 153—Judiciary.

H. B. No. 165—Judiciary.

H. B. No. 167—Railroads and Transportation.

H. B. No. 172—Counties and Towns.

H. B. No. 173—Counties and Towns.

H. B. No. 179—Judiciary.

H. B. No. 180—Taxation.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 5, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Standing Committees have this day recommended and reported as follows:

Judiciary Committee report that H. B. No. 57, by Moss, be concurred in; that H. B. No. 111, by Burns, be concurred in; that H. B. No. 110, by Burns, be concurred in; that H. B. No. 64, by Brandt and Nelson, be not concurred in, on motion placed on General File.

Committee on Agriculture report that H. B. No. 36, by Hanson of Daniels and Nelson of Phillips, be concurred in.

Committee on Federal Relations report that H. J. R. No. 2, by McCarty, be concurred in.

Report adopted.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 5, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Privileges and Elections, having had under consideration H. B. No. 25, introduced by Anderson, recommend that same be amended by striking out in line 7 of page 2 of the original bill the words "by paster or" and that, as so amended, it be concurred in.

Committee on Privileges and Elections also recommend that H. B. No. 32, by Donaldson and Flachsenhar, be amended in Section 1 by striking out the words "thirty-seven" in line 10 of the original bill and inserting in lieu thereof the words "twenty-five;" in Section 2 by striking out in line 28 the words "twenty-five" and inserting in lieu thereof the word "twenty," and that, as so amended, it be concurred in.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 5, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee of the Whole, having had under consideration Business on General File, report as follows:

That S. B. No. 42 be amended in Section 1 by striking out in line 8 the word "taxpayers," and inserting in lieu thereof the word "free-holding taxpayers," and that, as so amended, it do pass.

That S. B. No. 51 do pass.

That H. B. No. 137 be concurred in.

That consideration of H. B. No. 171 be passed for the day.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 5, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Notices were this day given:

By Peterson: "An Act amending Section 1928 of the Revised Codes of Montana of 1921, as amended by Section 1 of Chapter 6 of the Session Laws of the Eighteenth Legislative Assembly of Montana of 1923; repealing Sections 1929 to 1937 inclusive and Sections 1930 to 1948 inclusive of the Revised Codes of Montana of 1921, and Sections 2, 3, 4 and 5 of Chapter 6 of the Session Laws of the Eighteenth Legislative Assembly of Montana of 1923, all relating to the manner of investment of money belonging to the Permanent Common School funds and to other permanent educational, charitable and penal institutions."

By Garber: "An Act relating to the allowance of attorney's fees on foreclosure of loggers' liens, and to amend Section 9799 of the Revised Codes of Montana, 1921."

By Pomeroy: "An Act to amend Section 7073 of the Revised Codes of Montana of 1921, relating to the succession to and distribution of property."

By McCormick, Schnitzler, Conser, McQuitty, Dowlin: "An Act to amend Section 4464 of the Revised Codes of Montana of 1921, relating to the compensation, mileage and expenses of members of the Boards, of County Commissioners."



By Pauline: "An Act providing for the removal by the Board of County Commissioners of County High School Trustees for cause, and the filling of the vacancy resulting therefrom."

By Stewart: "An Act to amend Sections 537 and 105 of the Revised Codes of Montana of 1921, relating to the manner of publication of proposed constitution, constitutional amendments or other questions to be submitted to the people of Montana for popular vote; and providing for the publication of arguments for and against such questions."

By Stewart: "An Act regulating foreign corporations doing business in this State; designating the fees to be paid by such corporations for filing in the office of the Secretary of State copies of their charter or articles of incorporation, and defining the manner of computing the same; requiring the filing of reports and the making of statements by such corporations and repealing Chapter 132 of the laws of the 18th Legislative Assembly of Montana of 1923 and all other Acts in conflict herewith."

By Taylor: "An Act requiring every railroad within the State of Montana to keep at each station thereof a car order book; providing what entries shall be made therein; making such car order book a public record, subject to inspection; providing the manner of distributing cars ordered; providing for reports thereof to the State Board of Railroad Commissioners; providing who may order cars; providing that civil action may be brought to recover damages sustained due to violation of this Act; defining the terms "railroad" and "agent;" making the violation of any of the provisions of this Act a misdemeanor, and providing a penalty therefor, and repealing all Acts and parts of Acts in conflict herewith."

By Clark: "An Act authorizing the State Board of Examiners, for and on behalf of the State of Montana to sell Treasury notes of the State of Montana, with interest coupons attached, in the sum of three million seven hundred fifty thousand dollars (\$3,750,000.00), for the purpose of paying and refunding outstanding warrants chargeable against the General Fund of the State of Montana; making provisions as to the terms and conditions thereof, and directing the disposition of the proceeds thereof, providing for the repayment of the same and the interest thereon, and creating for the purpose of such repayment, out of any moneys accruing to the General Fund of the State of Montana, a special fund to be known as the 'Treasury Note Redemption Fund' and authorizing the issuance of such series of Treasury notes, and making an appropriation for the payment of all expenses incident to the issuance and sale of said notes."

By Church: "An Act to amend Sections 6489, 6490, 6492 and 6494 of the Revised Codes of Montana, 1921, relating to the appointment of Trustees of Cemetery Association funds."

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 5, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following bills were this day introduced and referred to the Standing Committees:

S. J. R. No. 6, by Committee on Federal Relations: "A Resolution relating to the 200th anniversary of the birth of George Washington." Federal Relations.

S. B. No. 84, by Watson: "An Act to amend Section 619 of the Revised Codes of Montana of 1921, relating to the time Secretary of State must certify to the County Clerk, names of persons nominated." Elections and Privileges.

S. B. No. 85, by Peterson: "An Act to abolish the law department of the State University, the department of school of journalism, and the department of pharmacy of the University of Montana at Missoula, and repealing Sections 872, 873, and 874 of the Revised Codes of Montana of 1921." Education.

S. B. No. 86, by Mears: "An Act to amend Sections 4318 and 4327 of the Revised Codes of the State of Montana, 1921, relating to changing the boundaries of Fergus and Judith Basin Counties." New Counties and Divisions."

Respectfully,

J. F. CONE, Secretary of Senate.

### MOTIONS AND RESOLUTIONS

The following resolution was presented by Troy:

House Joint Resolution No. ...., introduced by Troy.

Whereas, There is a widespread sentiment that the State Normal located at Dillon, Montana, is admirably situated for the accommodation of students in the Western portion of our State, but it is not suitable on account of location for students residing in the eastern portion; and

Whereas, There is a widespread sentiment favoring another Normal, or other Normals to be located in Eastern Montana, there being at least two bills now introduced into the Nineteenth Legislative Assembly for the location of an additional Normal or Normals;

Therefore, Be It Resolved, By the House of Representatives and the Senate of the Nineteenth Legislative Assembly of the State of Montana, that the State Board of Education be, and is hereby requested to make a survey of the various sites and locations for additional Normals, taking into consideration the location, accessibility for prospective students, transportation facilities, and general and specific reasons for an institution of this character and report their finding to the members of the Twentieth Legislative Assembly of the State of Montana on or before the tenth day after said assembly convenes in regular session;

Be It Further Resolved, That we, the Joint Senate and House of Representatives of the Nineteenth Legislative Assembly now assembled, recommend that the said Twentieth Legislative Assembly of the State of Montana pass adequate legislation to put in force and effect, the recommendations reported by said State Board of Education."

On motion of Troy, resolution adopted.

### THIRD READING OF HOUSE BILLS

Senate amendments to House Joint Memorial No. 1, introduced by Dellwo were concurred in, by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Flachsenhar, Fletcher, Flynn, Fox, Gordon, Graybill, Green, Hanson, Hardcastle, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Johnson (Fergus), Johnson (Valley), Kelly, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lemmon, Lincoln, Loble, Masters, Meagher, Merritt, Miller, Moriarity, Moss, Mulholland, Murphy, McCarty, McGrath, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Reed, Rice, Ruffcorn, Rupert, Ryder, Sales, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Tinsley, Troy, Waite, Walker, Walton, White, Wold, Wuerthner, Zeh, Mr. Speaker. Total—91.

Noes: None.

Absent and not voting: Caplis, Castles, Fitzgarrald (Ravalli), Fitzgerald (Silver Bow), Joffray, Keeley, Morris, Moulton, McAfee, Nagle. Total—10.

House Bill No. 95, introduced by Caplis, Reed Fairgrieve, Mulholland, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Beadle, Bergstrom, Berryman, Brandt, Budas, Burns, Campbell, Caplis, Clarke, Cusick, Davis, Dellwo,

Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgerald (Silver Bow), Flachsenhar, Fletcher, Flynn, Fox, Gordon, Graybill, Green, Hardcastle, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Kelly, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lemmon, Lincoln, Loble, Masters, Meagher, Merritt, Miller, Moriarity, Moss, Mulholland, Murphy, McCarty, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Reed, Rice, Ruffcorn, Rupert, Ryder, Sales, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Tinsley, Troy, Waite, Walker, Walton, White, Wold, Wuerthner, Zeh, Mr. Speaker. Total—92.

Noes: None.

Absent and not voting: Andrus, Besancon, Castles, Fitzgarrauld, (Ravalli), Hanson, Keeley, Morris, Moulton, McAfee. Total—9.

### CONSIDERATION OF GENERAL ORDERS

Moved by Ruffcorn, duly seconded and carried, that House now resolve itself into Committee of the Whole for Consideration of General Orders.

Mr. Flachsenhar in the chair.

Committee arose.

Mr. Speaker in the chair.

The Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bill No. 140, respectfully report as follows:

That House Bill No. 140 be amended as follows:

The title, by striking out the last three lines thereof.

Section 1, by striking out in line 4 the words "first day of April and first day of August" and inserting in lieu thereof the words "15th day of April and 15th day of July."

Section 3, by striking out in line 40 the word "and" at end thereof and inserting in lieu thereof the word "or."

Section 3, by striking out in line 89 the word "county" and inserting in lieu thereof the word "bounty," and after the word "the" and before the word "treasurer" insert the word "State."

Section 8, by inserting in line 4 after the word "Examiners," "If at the end of any bounty season, after all claims filed have been paid, there shall be a surplus in said bounty fund, such surplus may be used by Livestock Commission to hire salaried hunters and trappers to hunt and trap predatory animals and to purchase and supply poison to be used for a poison campaign against predatory animals. All furs, skins and specimens, taken by hunters or trappers, whose salaries may be paid in whole or in part out of the fund herein created, shall be sold by the Livestock Commission, and the proceeds from such sales shall be credited to the Bounty Fund, the same to be used in the further carrying out of the provisions of this Act, provided that any specimens so taken may be presented, free of charge to any state museum or institution."

Section 10, by striking out in lines 1, 2 and 3 thereof, all of the words in said three lines following the words "Section 10."

Section 10, by striking out in lines 9 and 10 the word "semi-annually" and inserting in lieu thereof the word "monthly."

And that, as amended, House Bill No. 140 do pass.

FLACHSENHAR, Chairman.

On motion of Flachsenhar, report adopted:

The Printing Committee reported as follows:

Mr. Speaker: We, your Committee on Printing, beg leave to report the following bills correctly printed: House Bills 218, 284, 262, House Memorial No. 3.

FRED W. ZEH, Chairman.



Moved by Ruffcorn, duly seconded and carried, that House adjourn until 2:30 P. M.

### AFTERNOON SESSION

House resumed at 2:30 P. M.

Mr. Speaker in the chair.

### THIRD READING OF HOUSE BILLS

House Bill No. 136, introduced by Ruffcorn, Burns, Hanson, Waite, Gordon, Leavens, Schoening, Campbell, Graybill, Peterson, Donaldson, White, Bergstrom, Davis, Johnson, Wold, Holt, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Bergstrom, Berryman, Besancon, Budas, Burns, Castles, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Flachsenhar, Fletcher, Flynn, Gordon, Graybill, Green, Hanson, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Kelly, Kennedy, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Loble, Masters, Miller, Moriarity, Morris, Moss, Murphy, McAfee, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Reed, Rice, Ruffcorn, Rupert, Ryder, Sales, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Throssel, Troy, Waite, Walker, Walton, White, Wold, Wuerthner, Zeh, Mr. Speaker. Total—81.

Noes: Caplis, Fitzgerald (Silver Bow), Fox, Hardcastle. Total—4.

Absent and not voting: Beadle, Brandt, Campbell, Fitzgarrald, (Ravalli), Keeley, Kinville, Lemmon, Meagher, Merritt, Moulton, Mulholland, McCarty, Schoening, Stoddard, Strange, Tinsley. Total—16.

House Bill No. 178, introduced by Smith of Lewis and Clark, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Akofer, Andrus, Bergstrom, Berryman, Budas, Burns, Castles, Clarke, Davis, Dellwo, Donaldson, Duncan, Eaton, Fairgrieve, Flachsenhar, Fletcher, Flynn, Gordon, Graybill, Green, Hanson, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Johnson (Fergus), Johnson (Valley), Kennedy, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lemmon, Masters, Merritt, Miller, Morris, Moss, Murphy, McAfee, Nagle, Nelson, Nelstead, Parkin, Patterson, Peat, Plank, Reed, Rice, Ruffcorn, Rupert, Ryder, Sales, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Strange, Throssel, Troy, Waite, Walker, Walton, White, Wold, Wuerthner, Zeh, Mr. Speaker. Total—72.

Noes: Ainsworth, Anderson, Beadle, Besancon, Campbell, Caplis, Cusick, Doran, Fitzgerald (Silver Bow), Fox, Hardcastle, Joffray, Kelly, Lincoln, Loble, Meagher, Moriarity, Mulholland, McGrath, Peterson, Plumer, Tinsley. Total—22.

Absent and not voting: Brandt, Fitzgarrald (Ravalli), Keeley, Kinville, Moulton, McCarty, Stoddard. Total—7.

House Bill No. 186, introduced by Fairgrieve, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Campbell, Caplis, Castles, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgerald, Flachsenhar, Fletcher, Fox, Gordon, Graybill, Green, Hanson, Hardcastle, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Keelev, Kelly, Kennedy, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Lemmon, Lincoln, Loble, Masters, Meagher, Merritt, Miller, Moriarity, Morris, Moss, Mulholland, Murphy, McAfee, Nagle, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Reed, Rice, Ruffcorn, Rupert, Ryder, Sales, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Strange,

Throssel, Tinsley, Waite, Walker, Walton, White, Wold, Zeh, Mr. Speaker. McGrath. Total—91.

Noes: Plumer. Total—1.

Absent and not voting: Burns, Fitzgarrald, Flynn, Kinville, Leavens, Moulton, McCarty, Troy, Wuerthner. Total—9.

House Bill No. 191, introduced by Smith of Beaverhead, was read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Budas, Burns, Caplis, Castles, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fitzgerald, Flachsenhar, Fletcher, Fox, Gordon, Graybill, Green, Hanson, Hardcastle, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kennedy, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Loble, Masters, Meagher, Merritt, Miller, Moriarity, Morris, Moss, Mulholland, Murphy, McCarty, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Reed, Rice, Ruffcorn, Rupert, Sales, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Tinsley, Troy, Waite, Walker, Walton, Wuerthner, Zeh, Mr. Speaker. Total—88.

Noes: Brandt, Campbell, Fairgrieve, Lemmon, Ryder, Schoening. Total—6.

Absent and not voting: Fitzgarrald, Flynn, Kinville, Moulton, McAfee, White, Wold. Total—7.

House Bill No. 194, introduced by Holt, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Castles, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Flachsenhar, Fletcher, Flynn, Fox, Gordon, Graybill, Green, Hanson, Hardcastle, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kennedy, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lemmon, Lincoln, Loble, Masters, Meagher, Merritt, Miller, Moriarity, Morris, Moss, Murphy, McCarty, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Reed, Rice, Ruffcorn, Rupert, Ryder, Sales, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Tinsley, Troy, Waite, Walker, Walton, Wold, Wuerthner, Zeh, Mr. Speaker. Total—92.

Noes: Beadle, Caplis, Fitzgerald, Mulholland. Total—4.

Absent and not voting: Fitzgarrald, Kinville, Moulton, McAfee, White. Total—5.

House Bill No. 202, introduced by Ruffcorn, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Caplis, Castles, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Eaton, Fairgrieve, Fitzgerald, Flachsenhar, Fletcher, Flynn, Fox, Gordon, Graybill, Green, Hardcastle, Harris, Hawley, Hedrick, Higham, Holt, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kennedy, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lemmon, Lincoln, Loble, Masters, Meagher, Merritt, Miller, Moriarity, Moss, Mulholland, McAfee, McCarty, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Peat, Plank, Plumer, Reed, Rice, Ruffcorn, Rupert, Ryder, Sales, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Tinsley, Troy, Waite, Walker, Walton, White, Wold, Wuerthner, Zeh, Mr. Speaker. Total—92.

Noes: None.

Absent and not voting: Duncan, Fitzgarrald, Hanson, Hoffman, Kinville, Morris, Moulton, Murphy, Peterson. Total—9.



## CONSIDERATION OF GENERAL ORDERS

Moved by Ruffcorn, duly seconded and carried, that House resolve itself into Committee of the Whole for consideration of General Orders.

Mr. Flachsenhar in the chair.

Committee arose.

Mr. Speaker in the chair.

The Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bills Nos. 63, 54, 226, 227, 228, respectfully report as follows:

That House Bill No. 63 do not pass.

That House Bill No. 54 the enacting clause be stricken out.

That House Bill No. 226 do pass.

That House Bill No. 227 do pass.

That House Bill No. 228 do pass.

FLACHSENHAR, Chairman.

Moved by Flachsenhar, duly seconded, that report be adopted.

Moved by Eaton, duly seconded, that House Bill No. 63 be segregated from the report.

Moved by Nelson, duly seconded, as substitute motion, that House Bill No. 63 be laid upon the table.

Question arising on substitute motion, roll call having been demanded, same was lost by the following vote:

Ayes: Ainsworth, Anderson, Andrus, Besancon, Brandt, Campbell, Clarke, Cusick, Dellwo, Doran, Flachsenhar, Flynn, Green, Hardcastle, Hedrick, Hoffman, Holt, Holton, Johnson (Valley), Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Lemmon, Lincoln, Miller, Moriarity, Morris, McAfee, McCarty, Nelson, Nelstead, Plank, Reed, Rice, Ryder, Schoening, Shields, Smith (Beaverhead), Waite, Walton, Wuerthner, Zeh. Total—42.

Noes: Akofer, Beadle, Budas, Burns, Caplis, Castles, Davis, Donaldson, Duncan, Eaton, Fairgrieve, Fletcher, Gordon, Berryman, Graybill, Hanson, Harris, Hawley, Higham, Johnson (Fergus), Keeley, Kennedy, Leavens, Loble, Masters, Meagher, Merritt, Moss, Mulholland, Nagle, Parkin, Patterson, Peat, Peterson, Plumer, Ruffcorn, Rupert, Sales, Smith (Lewis and Clark), Steeves, Strange, Throssel, Troy, Walker, Wold. Total—45.

Absent and not voting: Bergstrom, Fitzgarrald, Fitzgerald, Fox, Joffray, Kelly, Kinville, Moulton, Murphy, McGrath, Stoddard, Tinsley, White. Total—13.

Present and not voting: Mr. Speaker. Total—1.

A call of the House by Anderson was demanded, seconded by 15 members.

Moved by A. T. Larsen, duly seconded, that call of the House be dispensed with.

Question arising on motion to dispense with call of the House, same is lost.

Upon roll call all members present except: Bergstrom, Campbell, Fitzgarrald, Fitzgerald, Fox, Kelly, Kinville, Moulton, Murphy, McGrath, Stoddard, White.

Moved by Davis, duly seconded and carried, that further call of the House be dispensed with.

Question arising on motion to segregate House Bill No. 63, roll call having been demanded, same was lost by the following vote:

Ayes: Akofer, Beadle, Berryman, Budas, Burns, Caplis, Castles, Davis, Duncan, Eaton, Fairgrieve, Fletcher, Gordon, Graybill, Hanson, Har-



ris, Hawley, Higham, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kennedy, Leavens, Loble, Masters, Merritt, Moss, Mulholland, Nagle, Parkin, Patterson, Peterson, Plumer, Ruffcorn, Rupert, Sales, Smith (Lewis and Clark), Steeves, Strange, Throssel, Walker, Wold. Total—43.

Noes: Ainsworth, Anderson, Andrus, Besancon, Brandt, Clarke, Cusick, Dellwo, Donaldson, Doran, Fitzgerald, Flachsenhar, Flynn, Green, Hardcastle, Hedrick, Hoffman, Holt, Holton, Larson (Cascade), Larsen (Sheridan) Larson (Sheridan), Lemmon, Lincoln, Meagher, Miller Moriarity, Morris, McAfee, McCarty, Nelson, Nelstead, Peat, Plank, Reed, Rice, Ryder, Schoening, Shields, Smith (Beaverhead), Walton, Wuerthner, Zeh, Mr. Speaker. Total—44.

Absent and not voting: Bergstrom, Campbell, Fitzgarrald, Fox, Kelly, Kinville, Moulton, Murphy, McGrath, Stoddard, Tinsley, White. Total—12.

Troy and Waite paired.

Moved by A. T. Larsen, duly seconded, that House Bill No. 54 be segregated from report of Committee of the Whole.

Question arising on motion to segregate House Bill No. 54, roll call having been demanded, same was lost by the following vote:

Ayes: Caplis, Fitzgerald, Flynn, Keeley, Kennedy, Larsen (Sheridan), Moss, McCarty, Nagle, Plumer, Ryder, Smith (Lewis and Clark), Wold. Total—13.

Noes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Berryman, Besancon, Brandt, Budas, Burns, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Flachsenhar, Fletcher, Gordon, Graybill, Green, Hanson, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Larson (Cascade), Larson (Sheridan), Leavens, Lemmon, Lincoln, Loble, Masters, Meagher, Merritt, Miller, Moriarity, Morris, Mulholland, Nelson, Parkin, Patterson, Peat, Peterson, Plank, Reed, Rice, Ruffcorn, Rupert, Sales, Schoening, Shields, Smith (Beaverhead), Steeves, Strange, Throssel, Tinsley, Walker, Walton, Wuerthner, Zeh, Mr. Speaker. Total—71.

Absent and not voting: Bergstrom, Castles, Fitzgarrald, Fox, Hardcastle, Kelly, Kinville, Moulton, Murphy, McAfee, McGrath, Nelstead, Stoddard, Troy, Waite, White, Campbell. Total—17.

Question arising on original motion to adopt report, same carried.

Printing Committee reported as follows:

Mr. Speaker: We, your Committee on Printing, beg leave to report the following bills correctly printed:

House Bills Nos. 40, 114, 157, 204, 205, 239, 240, 241, 252, 260.

FRED W. ZEH, Chairman.

At the request of Ruffcorn, there being no objections, House reverted to Order of Business No. 2:

## NOTICES

Authors gave notice that they will on tomorrow or some subsequent day introduce bills as follows:

By Reed: A Bill for an Act entitled: "An Act making regulations regarding irrigation districts, under whatever law they may be organized, and particularly relating to the qualifications and disqualifications of Commissioners of Irrigation Districts, and the qualifications to vote at Irrigation District Elections."

By Besancon: A Bill for an Act entitled: "An Act to repeal Section 4028 of the Revised Codes of Montana of 1921, relating to exceptions in the regulation of stockbrokers and investment companies (Blue Sky Laws)."

By McAfee: A Bill for an Act entitled: "An Act prescribing the qualifications for drivers of conveyances and transportation of pupils. Requiring same to give bonds."

By Loble and Keeley: A Bill for an Act entitled: "An Act to repeal Section 2442, of the Revised Codes of Montana, 1921, relating to license for manufacturers of malt liquor."

By Shields: A Bill for an Act entitled: "An Act providing for regulating, licensing and bonding dealers in farm produce in car-lots, describing the duties of the Commissioner of Agriculture in relation thereto, and providing penalties for the violation of the provisions hereof."

By Holt: A Bill for an Act entitled: "An Act to amend Section 5229 of the Revised Codes of Montana, 1921, as the same was amended by Chapter 135 of the Session Laws of 1923, relating to protests against proposed work in improvement districts in cities and towns."

By Holt: A Bill for an Act entitled: "An Act to amend Section 9409 of the 1921 Revised Codes of Montana, relating to the contents and filing of judgment-roll."

By Ruffcorn, Cusick, et al: A Bill for an Act entitled: "An Act to regulate motion picture shows, providing for the creation of a State Board of Censors of motion pictures and prescribing penalties for the violation of this Act."

Moved by Lemmon, duly seconded and carried, that House adjourn until 10:30 A. M., February 7, 1925.

R. C. BRICKER, Speaker.

Attest: H. J. FAUST, Chief Clerk.

### THIRTY-FOURTH DAY

House of Representatives,  
Helena, Montana, February 7, 1925.

House met pursuant to adjournment at 10:30 A. M.

Mr. Speaker in the chair.

Prayer by the Chaplain.

On roll call all present except: Campbell, Fox, Kelly, Peat, Troy, excused; and Murphy and McGrath, absent.

Journal Committee reported as follows:

Mr. Speaker. We, your Committee on Journal, have this day examined the Journal for the 23rd Legislative day and found the same correct.

PARKIN, Vice Chairman.

On motion of Parkin, report adopted.

### COMMUNICATIONS AND PETITIONS

The following communication was received from Legislature of Wisconsin:

Madison, Wisconsin, February 4, 1925.

Speaker of the Assembly, State Capitol,  
Helena, Montana.

My Dear Sir: By direction of the Legislature of Wisconsin I am sending you a copy of Joint Resolution No. 1, protesting to the Congress and to the Secretary of War of the United States against the continuation of the illegal taking of water from the Great Lakes through the Chicago drainage canal.

Yours very truly,

FRED R. ZIMMERMAN,

Secretary of State.

No. 1, 1925. Joint Resolution, protesting to the Congress and to the Secretary of War of the United States against the continuation of the illegal taking of water from the Great Lakes through the Chicago drainage canal.

Whereas, Actions were instituted by the United States in 1908 and 1913 against the sanitary district of Chicago praying an injunction to restrain the diversion of water from the Great Lakes through the Chicago drainage canal in excess of four thousand one hundred sixty-seven cubic feet per second, and over the protest of the government a decision was delayed until, after the resignation of Judge Landis, on June 18, 1923, Judge Carpenter decided the case in favor of the government and ordered that the injunction be granted;

Whereas, The states of Wisconsin, Minnesota, Michigan, Indiana, Ohio, Pennsylvania and New York joined in appearing as amici curiae with the United States against the Sanitary District of Chicago in said action on appeal before the supreme court of the United States;

Whereas, The United State supreme court on January 5, 1925, affirmed the decision of Judge Carpenter, holding that the Sanitary District of Chicago has violated the laws of the United States, that its action is in violation of our treaty with Great Britain and enjoining any abstraction of water in excess of four thousand one hundred sixty-seven cubic feet per second;

Whereas, The legislature of Wisconsin in 1921 ordered and directed the beginning of a suit in the supreme court of the United States by the state of Wisconsin against the state of Illinois and the Sanitary District of Chicago to restrain the taking of water from the Great Lakes by the Sanitary District of Chicago and such action has begun and is still pending, no proceedings therein having been had awaiting the final decision in the case just decided;

Whereas, The present illegal abstraction of water from the Great Lakes now, and for many years past, has reached the enormous amount of upwards of ten thousand cubic feet per second and has seriously lowered the levels of the Great Lakes and the St. Clair, Detroit, Niagara and St. Lawrence rivers, and has greatly restricted and interfered with navigation thereon;

Whereas, The Great Lakes constitutes the greatest waterway in the world, carrying at the present time a tonnage equal to one-fourth of all the railroad tonnage of the United States at a cost of less than one-fifth that of railroad freight rates, and the diversion by the Sanitary District of Chicago has already increased lake freight rates by not less than three million dollars annually and has damaged lake harbors and other works fully twelve million dollars;

The enormous diversion has created currents in the Chicago harbor which have destroyed Chicago as a lake port to its own great loss and to the great loss of all other ports thereby deprived of economical lake transportation to and from this great center of the middle west;

Incalculable damage has been done to farm and other property along the Illinois river and its fishing and pearl industry has been destroyed by the dumping of Chicago sewage into the stream;

The action of the Sanitary District in abstracting nearly ten thousand cubic second feet where less than 1,000 cubic second feet is necessary or desirable for navigation has rendered futile all projects for a lake to the gulf waterway by way of the drainage canal and the Desplaines, Illinois and Mississippi rivers, and if continued will forever prevent the development of such waterway;

The Chicago Sanitary District is deriving a revenue of more than one million dollars annually from electric power produced by the water so taken, and by this diversion is preventing the United States from obtaining its fair share of water for power purposes at Niagara Falls and along the St. Lawrence river, where the same quantity of water will produce at least ten times the amount of power produced by the Sanitary District;

The controversy over the diversion by the Sanitary District stands in the way of the immediate undertaking of the St. Lawrence waterway to give to ocean-going vessels access to the Great Lakes and to give to the



middle and the northwestern part of the United States the advantages of ocean-going ports and the enormous development of power possible through such improvement of the St. Lawrence river; and

Whereas, The Sanitary District of Chicago has repeatedly asked Congress to enact legislation permitting such diversion and Congress has refused to enact such legislation, and bills are now pending in Congress for such permission, and the Sanitary District has repeatedly petitioned Secretaries of War for permits authorizing such diversion, and the Secretary of War Stimson, in 1913, refused any permission in excess of four thousand one hundred sixty-seven cubic feet per second, and the Sanitary District now gives out that it will make application for a permit to increase said amount and is carrying on a propaganda and gives out that it must continue to take not less than ten thousand cubic feet per second until the year 1945, with the implication that it intends to continue to abstract this amount of water or more during this period and all time thereafter and will not erect sewage disposal plants other than to take care of sewage from the growth of population and industries during this time, and the Sanitary District is not now making provisions for the immediate practical disposal of sewage by modern methods as is being done in other large lake cities; and,

Whereas, The states appearing with the government in the recent case take the position that the waters and the right to have these waters flow down the natural watershed of the Great Lakes is a property right of these states within their respective boundaries, and that there has been delegated to the government of the United States no power to divert these waters for any purpose except possibly so far as needed for the protection and improvement of navigation for which purpose there will at no time be needed more than one thousand cubic feet per second along the Chicago, Desplaines and Illinois rivers;

Resolved, by the Assembly, the Senate concurring, That the State of Wisconsin hereby respectfully protests to the Congress of the United States and to the Secretary of War against any action by either rescognizing or continuing any permit to the Sanitary District of Chicago to divert water from the Great Lakes through the Chicago Drainage Canal for any purpose other than the protection and improvement of navigation;

Resolved, That a copy of this resolution, properly attested by the presiding officers and chief clerks of both houses, be sent to the President of the United States, the Secretary of War, the presiding officers of the Senate and House of Representatives, and to each United States senator and member of Congress from Wisconsin;

Resolved, That a copy of this resolution so attested be sent to the governor and the presiding officers of both houses of the legislature in each of the states of the Union, inviting the cooperation of the states in like protest to the Congress and to the Secretary of War.

HENRY A. HUBER,	H. W. SACHTJEN,
President of the Senate.	Speaker of the Assembly.
L. W. SCHOENFEHL,	C. E. SHAFFER,
Chief Clerk of the Senate.	Chief Clerk of the Assembly.

Moved by Moss, duly seconded and carried, that above communication be considered read at length and the Journal so show.

## NOTICES

Authors gave notice that they will on tomorrow or some subsequent day introduce bills as follows:

By Graybill: A Bill for an Act entitled: "An Act to amend Section 10376 of the Revised Codes of Montana, 1921, relating to powers of clerks of court to issue notices and orders in probate and guardian matters."

By Graybill: A Bill for an Act entitled: "An Act to amend Chapter 20 and 21, of Part IV, of the Political Code, of the Revised Codes of Montana by adding thereto a new section to be known as Section 4711-A, authorizing boards of County Commissioners to sell, assign, compromise or otherwise dispose of obligations held by the county under the provisions of Chapters 20 and 21, of Part IV, of the Political Code, of the Revised Codes of Montana of 1921."

By Elmer Johnson and Davis: A Bill for an Act entitled: "An Act providing for the keeping of repairs within the state for all gas and oil burning tractors, steam or gas engines, harvesting and threshing machinery, automobiles and auto trucks, and prescribing the duties of the manufacturers thereof."

By Harris: A Bill for an Act entitled: "An Act appropriating money to reimburse Andrew Hoyem for the loss of interest on money paid to the State of Montana, through its State Board of Land Commissioners for purchase of land to which the State of Montana was unable to give title."

By Committee on Highways; Moss, chairman: A Bill for an Act entitled: "An Act to amend Section 1760 of the Revised Codes of Montana, 1921, as amended by Chapter 107 of the Laws of the Eighteenth Legislative Assembly relating to the registration fees for motor vehicles and the disposition thereof and repealing all Acts and parts of Acts in conflict herewith."

By Committee on Highways; Moss, chairman: A Bill for an Act entitled: "An Act to amend Sections 2382, 2383 and 2392 of the Revised Codes of Montana of 1921, as amended by Chapter 150 of the Eighteenth Legislative Assembly and to amend Sections 2384 and 2389 of the Revised Codes of Montana of 1921, all relating to the imposition of a tax on the sale of gasoline, the collection and disposition thereof, and prescribing a penalty for neglect or refusal to furnish statements and to pay the tax, and repealing all Acts and parts of Acts in conflict herewith."

By Loble and Keeley: A Bill for an Act entitled: "An Act to repeal Section 2440 of the Revised Codes of Montana, 1921, relating to license for laundries."

## REPORT OF STANDING COMMITTEES

The following reports were received from Standing Committees:

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 303, introduced by Zeh, Berryman, Duncan, and Hedrick, respectfully report as follows: That House Bill No. 303 do pass.

CLARKE, Chairman.

On motion of Clarke, report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 275, introduced by Parkin, respectfully report as follows: That House Bill No. 275 do pass.

CLARKE, Chairman.

On motion of Clarke, report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 182, introduced by the Committee on Military Affairs, respectfully report as follows: That House Bill No. 182 do not pass.

WOLD, Chairman.

On motion of Hawley, report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration Senate Bill No. 7, introduced by the Committee on Finance and Claims, respectfully report as follows: That Senate Bill No. 7 be concurred in.

WOLD, Chairman.

On motion of Hawley, report adopted.

Mr. Speaker: We, your Committee on Labor, having had under consideration House Bill No. 286, introduced by Fairgrieve and Shields, by request, respectfully report as follows: That House Bill No. 286 do pass.

FAIRGRIEVE, Chairman.

On motion of Fairgrieve, report adopted.

Mr. Speaker: We, your Committee on Public Health and Sanitary Affairs, having had under consideration House Bill No. 141, introduced by Loble, respectfully report as follows: That House Bill No. 141 be amended as follows: Amend Section 3, by striking out in line 7, thereof, the word "coming" and inserting in line 7 after the word "year" the words "beginning June 1st" and in line 9, by inserting after the word "renewal" the words "without fee," and amending the title to read as follows:

A Bill for an Act entitled: "An Act to amend Section 3210 of the Revised Codes of Montana of 1921, relating to the qualifications of applicants for registration for nurses certificates and to amend Chapter 228 of Part 3 of the Political Code of the Revised Codes of Montana of 1921, by adding thereto, one new section to be known as Section 3211A providing for the annual renewal of certificates of registration of nurses and affixing the fee therefor, and that the first four lines of Section 3 be amended to read as follows:

Section 3. That Chapter 228 of Part 3, of the Political Codes of the Revised Codes of Montana, 1921, be, and the same is hereby amended by addition of one new section to be known as Section 3211A to read as follows:

"Section 3211A. During the month of June of each year, every registered nurse shall renew his or her certificate of registration, for the year beginning June 1, with the Board of Examiners for Nurses, for which renewal a fee of One Dollar shall be paid to the treasurer of said board. The board may grant a renewal, without fee, for reasons which are satisfactory to it, and upon granting such renewal the Secretary of such board shall issue a certificate of renewal of registration."

And as so amended, House Bill No. 141 do pass.

E. M. LARSON, Chairman.

On motion of Larson of Cascade, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 302, respectfully report as follows: That House Bill No. 302 be re-referred to the Highway Committee.

RUFFCORN, Chairman.

On motion of Ruffcorn, report adopted.

## INTRODUCTION OF BILLS AND MEMORIALS

The following bills were introduced, read first and second times by title only, and referred to committees as follows:

Senate Bill No. 42, introduced by Dell: A Bill for an Act entitled: "An Act relating to the borrowing of money, contracting of indebtedness and issuing of bonds by incorporated cities and towns, and repealing Sections 5278, 5279, 5280, 5281, 5282, 5283, 5284, 5285, 5286, 5287 and 5288, Revised Codes of Montana, 1921," Referred to Committee on Affairs of Cities.

Senate Bill No. 51, introduced by Speer: A Bill for an Act entitled: "An Act relating to irrigation districts and empowering the State Land Board to consent to the inclusion of State lands therein; to sign petitions for issuance of bonds of such districts; and to sign petitions for contracts with the United States in relation thereto." Referred to Committee on Irrigation.

House Bill No. 309, introduced by Smith of Lewis and Clark: A Bill for an Act entitled: "An Act to amend Section 9429 of the Revised Codes of Montana, 1921, relating to exemptions of earnings from execution, garnishment or attachment." Referred to Judiciary Committee.



House Bill No. 310, introduced by Holt: A Bill for an Act entitled: "An Act to amend Sections 7213, and 7250 of the Revised Codes of Montana of 1921, and Chapter 71, Laws of the Eighteenth Legislative Assembly of the State of Montana of 1923, relating to the liens of bonds issued by irrigation districts in the State of Montana and the priority of the liens of said bonds and assessments made for the purpose of paying said bonds and the interest thereon; The collection of the taxes and assessments levied for irrigation district and drainage district purposes and requiring County Treasurers to collect, receive and receipt for such irrigation district and drainage district taxes and assessments at the same time upon the same receipt as taxes levied upon real property for county purposes with certain exceptions and the sale and transfer of lands within irrigation districts." Referred to Committee on Irrigation.

House Bill No. 311, introduced by Fitzgarrald of Ravalli, by request: A Bill for an Act entitled: "An Act to amend Section 4874 of the Political Code, Revised Codes of Montana, 1921, as amended by Chapter 82 of the Laws of 1923, Eighteenth Legislative Assembly of the State of Montana, relating to the authority of the County Commissioners to fix compensation and appointment of deputy county officers." Referred to Committee on Townships and Counties.

House Bill No. 312, introduced by Walton. A Bill for an Act entitled: "An Act to amend Section 3588, Revised Codes of Montana of 1921, as amended by Chapter 41 of the Session Laws of the Eighteenth Legislative Assembly of Montana of 1923, relating to the delivery of grain by public warehousemen, the duty and liability of warehousemen, and the duties of the grain inspector." Referred to Committee on Agriculture.

House Bill No. 313, introduced by Fairgrieve: A Bill for an Act entitled: "An Act to amend Section 11053, Revised Codes of Montana of 1921, relating to the issuing and filling of prescriptions for intoxicating liquor, by requiring pharmacists to keep and display a list of all persons for whom he fills such prescriptions; providing for a tax upon each prescription so issued or filled to be paid to the Treasurer of the State of Montana; providing how and when such tax shall be paid and the disposition thereof; providing a penalty for failure to pay such tax; making the records of physicians and pharmacists relating to the issuing and filling of such prescriptions open to inspection by all officers required by law to enforce the laws of the State relating to intoxicating liquors; and repealing Sections 11097 and 11098, Revised Codes of Montana, 1921, relating to the recognition and validation of Federal permits in this State." Referred to Committee on Ways and Means.

House Bill No. 314, introduced by Holton by request: A Bill for an Act entitled: "An Act to amend Sections 2099, 2101, 2103 and 2105 of the Revised Codes of 1921, of the State of Montana, relating to the taxation of the property of freight line companies doing business in Montana." Referred to Committee on Revenue and Taxation.

House Bill No. 315, introduced by Plank and Besancon: A Bill for an Act entitled: "An Act to amend Section 12165 of the Montana Revised Codes of 1921 relative to the lien and collection of undertakings for the appearance of persons charged with a criminal offense." Referred to Judiciary Committee.

House Bill No. 316, introduced by Besancon: A Bill for an Act entitled: "An Act to repeal Section 4028 of the Revised Codes of Montana of 1921, relating to exceptions in the regulation of stockbrokers and investment companies (Blue Sky Laws)." Referred to Judiciary Committee.

House Bill No. 317, introduced by Holt: A Bill for an Act entitled: "An Act to amend Section 9409 of the 1921 Revised Codes of Montana relating to the contents and filing of judgment-roll." Referred to Judiciary Committee.

House Bill No. 318, introduced by Holt: A Bill for an Act entitled: "An Act to amend Section 5229 of the Revised Codes of Montana, 1921, as

the same was amended by Chapter 135 of the Session Laws of 1923, relating to protests against proposed work in improvement districts in cities and towns." Referred to Committee on Affairs of Cities.

House Bill No. 319, introduced by Loble and Keeley: A Bill for an Act entitled: "An Act to repeal Section 2442 of the Revised Codes of Montana, 1921, relating to license for manufacturers of malt liquors." Referred to Committee on Ways and Means.

House Bill No. 320, introduced by Shields: A Bill for an Act entitled: "An Act providing for regulating, licensing and bonding dealers in farm produce in carlots, describing the duties of the Commissioner of Agriculture in relation thereto, and providing penalties for the violation of the provisions hereof." Referred to Committee on Agriculture.

House Bill No. 321, introduced by Beadle, Campbell, Fitzgerald (Silver Bow), Flachsenhar, Keeley: A Bill for an Act entitled: "An Act to amend Section 11955 of the Revised Codes of Montana of 1921, relating to the number of peremptory challenges." Referred to Judiciary Committee.

House Joint Resolution No. 7, introduced by Ruffcorn: "A resolution providing for the appointment of a commission to investigate and recommend to the Twentieth Legislative Assembly the manner in which the services rendered the State of Montana by the Lewis and Clark expedition should be commemorated." Referred to Committee on Development and Publicity.

### MOTIONS AND RESOLUTIONS

Moved by Fairgrieve, duly seconded and carried, that pages circulate among the members of the House with collection box in order to permit them to donate to a fund for the purpose of purchasing cigarettes and fruit for the patients at Veterans' Hospital No. 72 which the members are invited to visit this afternoon.

A call of the House was demanded by Moss, duly seconded by fifteen members, in order that all members might be present to donate to the fund.

Moved by Hedrick, duly seconded and carried, that call of the House be dispensed with.

### CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

The following message was received from the Governor:

Helena, Montana, February 6, 1925.

The Speaker, House of Representatives,  
Helena, Montana.

I have the honor to advise you that I have today approved House Bill No. 124, appropriating money for the purpose of purchasing certain volumes of Montana Reports.

J. E. ERICKSON, Governor.

Moved by Ruffcorn, duly seconded and carried, that messages from Senate be considered read at length and the Journal so show.

The following messages were received from the Senate:

Helena, Montana, February 6, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that H. J. R. No. 1 was this day, by Committee of the Whole, recommended for indefinite postponement.

On roll call, substitute motion to table further consideration of said resolution was carried, and resolution is herewith returned to the House.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 6, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day recommended by Committee on Judiciary as follows:

That H. B. No. 44, by Ainsworth, be not concurred in.

That H. B. No. 45, by Ainsworth, be not concurred in.

That H. B. No. 143, by Ainsworth and Campbell, be not concurred in.

Reports adopted and bills are herewith returned to the House.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 6, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that H. B. No. 137, by Kelly, was this day read three several times, title agreed to, and concurred in, and is herewith returned to the House.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 6, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that S. B. No. 42, by Dell, and S. B. No. 51, by Speer, were this day read third time and passed, title agreed to, and are herewith transmitted to the House for concurrence.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 6, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following bills were this day read first and second times and referred to the Standing Committees:

S. B. No. 87—Education.

S. B. No. 88—Finance and Claims.

S. B. No. 89—Education.

S. B. No. 90—Judiciary.

S. B. No. 91—Judiciary.

S. B. No. 92—Railroads and Transportation.

S. B. No. 93—Judiciary.

S. B. No. 94—Judiciary.

S. B. No. 95—Finance and Claims.

S. B. No. 96—Judiciary.

S. B. No. 97—Finance and Claims.

S. B. No. 98—Counties and Towns.

S. J. R. No. 7—Education.

H. B. No. 29—Irrigation.

H. B. No. 105—Privileges and Elections.

H. B. No. 108—Elections and Privileges.

H. B. No. 119—Agriculture.

H. B. No. 160—Taxation.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 6, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Notices were this day given:

By Taylor: "An Act to repeal Chapter 159 of the Revised Codes of Montana of 1921, relating to the classification of taxable property."



By Linn: "An Act to amend Section 4767 of the Revised Codes of Montana, 1921, as amended by Chapter, 89 Laws of the Eighteenth Legislative Assembly, relating to the deposit of county, city and town funds."

By Cowan: "An Act making regulations regarding irrigation districts, under whatever law they may be organized, and particularly relating to the qualifications and disqualifications of commissioners of irrigation districts, and the qualifications to vote at irrigation district elections."

By Griffin: "An Act to amend Section 6039 of the Revised Codes of Montana of 1921 relating to the investment of capital of savings banks."

By Griffin: "An Act authorizing and empowering city and town councils, in cities and towns owning and operating municipal water systems as public utilities, to furnish water to factories and other industries located within or outside the corporate limits of such cities or towns, and providing that rates for service shall be charged therefor."

By Paul: "An Act to permit the storage of explosives upon the rights of way of railroads during construction and when such railroads are in actual operation, at certain points and places where emergency use for such explosives is likely to occur."

By Mears, Staggs, Gilboe: "An Act to amend Sections 351 and 352 of the Revised Codes of Montana of 1921, as amended by Sections 4 and 5 of Chapter 40 of the Session Laws of the Eighteenth Legislative Assembly of Montana of 1923 relating to tax levies upon lands growing crops which are covered by state hail insurance."

By Scofield: "An Act to amend Chapter 609 of the Revised Codes of Montana defining who may receive assistance in marking their ballots."

By Cowan: "An Act making regulations regarding the conduct of affairs of irrigation districts, under whatever law organized, and particularly regarding the disposition of Debenture Certificates, the right to vote at elections and the manner of voting, and the pledging and administration of income derived from sources other than taxes and assessments."

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, Feb. 6th, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day introduced:

S. B. No. 87, by Pauline: A Bill for an Act entitled: "An Act providing for the removal by the Board of County Commissioners of county high school trustees for cause, and the filling of the vacancy resulting therefrom." Referred to Committee on Education.

S. B. No. 88, by Church: A Bill for an Act entitled: "An Act to amend Sections 6489, 6490, 6492 and 6494 of the Revised Codes of Montana 1921, relating to the appointment of trustees of cemetery association funds." Referred to Committee on Finance and Claims.

S. B. No. 89, by Peterson: A Bill for an Act entitled: "An Act amending Section 1928 of the Revised Codes of Montana of 1921, as amended by Section 1 of Chapter 6 of the Session Laws of the Eighteenth Legislative Assembly of Montana of 1923; repealing Sections 1929 to 1937 inclusive and Sections 1939 to 1948 inclusive of the Revised Codes of Montana of 1921 and Sections 2, 3, 4, and 5 of Chapter 6 of the Session Laws of the Eighteenth Legislative Assembly of Montana of 1923, all relating to the manner of investment of money belonging to the permanent common school funds and to other permanent educational, charitable and penal institutions." Referred to Committee on Education.

S. B. No. 90, by Pomeroy: A Bill for an Act entitled: "An Act to amend Section 7073 of the Revised Codes of Montana of 1921, relating to the succession to and distribution of property." Referred to Judiciary Committee.

S. B. No. 91, by Linn: A Bill for an Act entitled: "An Act to amend Section 10030 of the Revised Codes of Montana of 1921, relating to the probate of wills." Referred to Judiciary Committee.

S. B. No. 92, by Taylor: A Bill for an Act entitled: "An Act requiring every railroad within the State of Montana to keep at each station thereof a car order book; providing what entries shall be made therein; making such car order book a public record, subject to inspection; providing the manner of distributing cars ordered; providing for reports thereof to the State Board of Railroad Commissioners; providing who may order cars; providing that civil action may be brought to recover damages sustained due to violation of this Act; defining the terms "railroad" and "agent;" making the violation of any of the provisions of this Act a misdemeanor, and providing a penalty therefor, and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Railroads and Transportation.

S. B. No. 93, by Garber: A Bill for an Act entitled: "An Act relating to the allowance of attorney's fees on foreclosure of liens, and to amend Section 9799 of the Revised Codes of Montana of 1921." Referred to Judiciary Committee.

S. B. No. 94, by Stewart: A Bill for an Act entitled: "An Act to amend Sections 537 and 105 of the Revised Codes of Montana of 1921, relating to the manner of publication of proposed constitution, constitutional amendments or other questions to be submitted to the people of Montana for popular vote; and providing for the publication of arguments for and against such questions." Referred to Judiciary Committee.

S. B. No. 95, by Committee on Education: A Bill for an Act entitled: "An Act to amend Section 1916 of the Revised Codes of Montana of 1921, relating to redemption of bonds before maturity where owned by the State." Referred to Committee on Finance and Claims.

S. B. No. 96, by Stewart: A Bill for an Act entitled: "An Act regulating foreign corporations doing business in this state; designating the fees to be paid by such corporations for filing in the office of the Secretary of State copies of their charter or articles of incorporation, and defining the manner of computing the same; requiring the filing of reports and the making of statements by such corporations, and repealing Chapter 132 of the laws of the 18th Legislative Assembly of Montana of 1923, and all other Acts in conflict herewith." Referred to Judiciary Committee.

S. B. No. 97, by Committee on Education: A Bill for an Act entitled: "An Act providing for a budget system for making and controlling estimates, expenditures, and tax levies by school districts and county high schools." Referred to Committee on Finance and Claims.

S. B. No. 98, by Dowlin, McCormick, Schnitzler, Conser, McQuitty: A Bill for an Act entitled: "An Act to amend Section 4464 of the Revised Codes of Montana of 1921, relating to the compensation, mileage and expenses of members of the Board of County Commissioners." Referred to Committee on Counties and Towns.

S. J. R. No. 7, by Conser: Relating to Normal Schools. Education.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 6th, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee of the Whole, having had under consideration Business on General File, report as follows:

That S. B. No. 61 do pass.

That S. B. No. 63 do pass.

That S. B. No. 64 do pass.

That S. B. No. 65 do pass.

That S. B. No. 66 do pass.

That S. B. No. 67 do pass.

That S. B. No. 77 do pass.

That H. B. No. 171 be concurred in.

That H. B. No. 111 be concurred in.

That H. B. No. 64 be amended in Section 1 by inserting the words "Real Estate" after the word "A" in line three of the printed bill, and, as so amended, it be concurred in.

That H. B. No. 57 be concurred in.

That H. B. No. 32 be concurred in.

That H. J. M. No. 2 be concurred in.

That consideration of H. B. No. 25 be passed for the day.

Report adopted.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 6, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Privileges and Elections, having had under consideration Senate Bill No. 37, introduced by Watson, report same back with the following amendments:

Amend by striking out Section one and in lieu thereof substituting three sections as follows:

Section 1. That Section 715 of the Revised Codes of Montana 1921, be, and the same is hereby amended so as to read as follows:

"Section 715. Voting by Absent or Incapacitated Elector. Any qualified elector of this state, having complied with the laws in regard to Registration, who is absent from the county of which he is an elector on the day of holding any general or special election, or primary election, or primary election for the nomination of candidates for such general election, or any municipal, general, special, or primary election, or who, altho present in the county of which he is an elector on the day of holding any such election is so far incapacitated by illness or personal injuries as to be unable to appear in person at the polling place where he is entitled to cast his ballot, may vote at such election as hereinafter provided.

Section 2. That Section 716 of the Revised Codes of Montana, 1921, be, and the same is hereby amended so as to read as follows:

Section 716. Application for Ballot. At any time within thirty days next preceding such election, any voter expecting to be absent on the day of election from the county in which his voting precinct is situated, or who is so far incapacitated by illness or personal injuries as to be unable to appear in person at the polling place where he is entitled to cast his ballot, may make application to the county clerk of such county, or the city or town clerk, in the case of a municipal general, special, or primary election, for an official ballot or official ballots to be voted at such election as an absent or incapacitated voter's ballot or ballots.

Section 3. That Section 717 of the Revised Codes of Montana, 1921, be, and the same is hereby amended to read as follows:

"Section 717. Form of Application. Application for such ballots shall be made on a blank to be furnished by the county clerk of the county of which the applicant is an elector, or the city or town clerk, if it be a municipal general, special or primary election. If application is made by a voter who expects to be absent on such election day such application shall be in substantially the following form:

I....., duly qualified elector of the..... Precinct, in the County of....., and State of Montana, and to the best of my knowledge and belief entitled to vote in such precinct at the next election, expecting to be absent from the said county on the day for holding such election, hereby make application for an official ballot to be voted by me at the said election.



Witness..... (signed) .....  
 Post office address to which ballot is to be mailed.

.....  
 If application is made by an incapacitated voter, the same shall be accompanied with a doctor's certificate, which certificate shall show on its face that in the opinion of the doctor furnishing the same, the applicant is incapable, by reason of sickness or injury, from attending at the Polling Place, and voting personally, and such application in addition to said doctor's certificate shall be in substantially the following form:

I, ....., a duly qualified elector of the  
 ..... Precinct, in the County of .....,  
 and State of Montana, and to the best of my knowledge and belief entitled to vote in such precinct at the next election, and being so far incapacitated by reason of (here describe briefly the nature of the illness or injuries) as to be unable to appear personally at the polling place in such precinct on the day for holding such election, hereby making application for an official ballot to be voted by me at the said election.

.....  
 Post office address to which ballot is to be mailed.

.....  
 Each application must be subscribed by the applicant and witnessed by at least one witness.

That Section 2 of the bill be stricken out, the word and figure "Section 2" inserting the word and figure "Section 4."

That Section 3 of the bill be amended by striking out the word and figure "Section 3," and inserting in lieu thereof the word and figure "Section 5," and that said bill as so amended do pass.

Report adopted.

Respectfully,  
 J. F. CONE, Secretary of Senate.

Helena, Montana, Feb. 6th, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day reported by Standing Committees as follows:

Reports adopted.

H. B. No. 26, by Wuerthner, be concurred in.

H. B. No. 107, by Committee on Labor and Capital, be concurred in.

H. B. No. 180, by Duncan, be concurred in.

H. B. No. 154, by Joffray, be concurred in.

H. J. R. No. 4 be concurred in.

Respectfully,  
 J. F. CONE, Secretary of Senate.

Helena, Montana, Feb. 6th, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day reported from the Standing Committees as follows:

Reports adopted.

H. B. No. 49, by Duncan, be amended in Section 1, line 15, of the original bill by striking out the word "of" and inserting in lieu thereof the word "for", and by inserting in line 24 after the word "estimate" the word "of", and by adding to the word "complete" in line 22 the letter "d", and, as so amended, the bill be concurred in.

H. B. No. 106, by Flynn and White, be amended in Section 4, in line 14 of the original bill, by striking out all of the words after the word "be" and inserting the following: "all of the money which the Secretary of Agriculture, or his deputies, shall spend for the enforcement of this act", and, as so amended, it be concurred in.

H. B. No. 126, by Akofer, be amended by striking out the comma after the word "bond" in line 15 of the original bill and by further amending said bill by striking out the following words "Provided, however, that no moneys shall be taken from the Fish and Game Fund except with the consent of the Montana Fish and Game Commission", and that, as so amended, it be concurred in.

H. B. No. 14, by Nagle, be amended by striking out all of Section 1, after the word "Judge" in line 12 thereof, and inserting in lieu thereof the words: "the holder must bring suit in the proper court against the executor or administrator within three months after the date such claim is filed, with endorsement thereon showing the rejection thereof, in whole or in part, in the office of the Clerk of Court in which the proceedings are pending, if it be then due, or within two months after it becomes due, otherwise the claim shall be forever barred", and by striking out all of Section 3 of said bill, and that, as so amended, it be concurred in.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 6, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day reported by Standing Committees as follows:

Reports adopted.

H. B. No. 44, by Ainsworth, be not concurred in.

H. B. No. 45, by Ainsworth, be not concurred in.

H. B. No. 143, by Ainsworth, be not concurred in.

H. B. No. 93, by Troy, be not concurred in,—on motion, action of the vote by which report of H. B. No. 93 was adopted was re-considered and bill re-referred to Committee on Privileges and Elections.

Respectfully,

J. F. CONE, Secretary of Senate.

### THIRD READING OF HOUSE BILLS

At the request of Wold, Chairman, the following members of the Committee on Appropriations were excused: Wold, Reed, Lemmon, Donaldson, Smith of Beaverhead.

House Bill No. 208, introduced by Committee on Agriculture, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Caplis, Clarke, Cusick, Davis, Dellwo, Duncan, Eaton, Fairgrieve, Fitzgarrald, (Ravalli), Fitzgerald, (Silver Bow), Flachsenhar, Fletcher, Flynn, Gordon, Graybill, Green, Hanson, Hardcastle, Hawley, Hedrick, Higham, Hoffman, Holton, Joffray, Johnson, (Fergus), Johnson, (Valley), Kennedy, Kinville, Larson, (Cascade), Larsen, (Sheridan), Larson, (Sheridan), Leavens, Lincoln, Loble, Meagher, Merritt, Miller, Moriarty, Morris, Moss, Moulton, Mulholland, McAfee, Nagle, Nelson, Nelstead, Parkin, Patterson, Peterson, Plank, Plumer, Rice, Ruffcorn, Rupert, Ryder, Schoening, Shields, Smith, (Lewis and Clark), Steeves, Stoddard, Throssel, Tinsley, Waite, Walker, Walton, White, Wuerthner, Zeh, Mr. Speaker.  
Total—79.

Noes: None.

Absent and not voting: Andrus, Campbell, Castles, Donaldson, Dorian, Fox, Harris, Holt, Keeley, Kelly, Lemmon, Masters, Murphy, McCarty, McGrath, Peat, Reed, Sales, Smith, (Beaverhead), Strange, Troy, Wold.  
Total—22.

House Bill No. 211, introduced by Keeley, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Caplis, Castles, Clarke, Cusick, Doran, Duncan, Fairgrieve, Fitzgarrald, (Ravalli), Fitzgerald, (Silver Bow), Flachsenhar, Fletcher, Flynn, Gordon, Graybill, Green, Hanson, Hardcastle, Harris, Hawley, Hedrick, Higham, Hoffman, Holton, Joffray, Johnson (Fergus), Johnson, (Valley), Kennedy, Kinville, Larson, (Cascade), Larsen, (Sheridan), Larson, (Sheridan), Leavens, Lincoln, Loble, Meagher, Merritt, Miller, Moriarty, Morris, Moss, Moulton, Mulholland, McAfee, Nagle, Nelson, Nelstead, Parkin, Patterson, Peterson, Plank, Rice, Ruffcorn, Rupert, Ryder, Schoening, Shields, Smith, (Lewis and Clark), Steeves, Stoddard, Strange, Throssel, Tinsley, Walker, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—78.

Noes: Plumer. Total—1.

Absent and not voting: Andrus, Campbell, Davis, Dellwo, Donaldson, Eaton, Fox, Holt, Keeley, Kelly, Lemmon, Masters, Murphy, McCarty, McGrath, Peat, Reed, Sales, Smith, (Beaverhead), Troy, Waite, Wold. Total—22.

House Bill No. 214, introduced by Eaton, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Anderson, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Caplis, Clarke, Cusick, Davis, Dellwo, Duncan, Eaton, Fairgrieve, Fitzgarrald, (Ravalli), Flachsenhar, Fletcher, Flynn, Gordon, Graybill, Green, Hanson, Hardcastle, Harris, Hawley, Hedrick, Higham, Hoffman, Holton, Joffray, Johnson, (Fergus), Johnson, (Valley), Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Larson Sheridan), Leavens, Lincoln, Loble, Meagher, Merritt, Miller, Moriarty, Morris, Moss, Moulton, Mulholland, McAfee, McCarty, Nagle, Nelson, Nelstead, Patterson, Peterson, Plank, Plumer, Rice, Ruffcorn, Rupert, Ryder, Schoening, Shields, Smith, (Lewis and Clark), Steeves, Strange, Throssel, Tinsley, Waite, Walker, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—78.

Noes: Fitzgerald, (Silver Bow). Total—1.

Absent and not voting: Akofer, Andrus, Campbell, Castles, Donaldson, Doran, Fox, Holt, Keeley, Kelly, Lemmon, Masters, Murphy, McGrath, Parkin, Peat, Reed, Sales, Smith, (Beaverhead), Stoddard, Troy, Wold. Total—22.

House Bill No. 216, introduced by Smith of Lewis and Clark and Nagle, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Anderson, Beadle, Bergstrom, Besancon, Burns, Caplis, Clarke, Cusick, Dellwo, Eaton, Fairgrieve, Flynn, Gordon, Graybill, Green, Hanson, Hardcastle, Harris, Hawley, Holton, Joffray, Johnson, (Fergus), Johnson, (Valley), Kennedy, Larsen, (Sheridan), Larson (Sheridan), Leavens, Lincoln, Loble, Meagher, Merritt, Moriarty, Moulton, Mulholland, McCarty, Nagle, Plank, Rice, Ruffcorn, Rupert, Ryder, Shields, Smith (Lewis and Clark), Stoddard, Throssel, Tinsley, Waite, Walker, White, Zeh, Mr. Speaker. Total—52.

Noes: Berryman, Brandt, Budas, Davis, Duncan, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Hedrick, Higham, Hoffman, Kinville, Larson, (Cascade), Miller, Morris, McAfee, Nelson, Nelstead, Parkin, Patterson, Peterson, Plumer, Schoening, Steeves, Strange, Walton, Wuerthner. Total—28.

Absent and not voting: Akofer, Andrus, Campbell, Castles, Donaldson, Doran, Fox, Holt, Kelly, Keeley, Lemmon, Masters, Moss, Murphy, McGrath, Peat, Reed, Sales, Smith (Beaverhead), Troy, Wold. Total—21.

There being no objections, House reverted to Order of Business No. 6:

## MOTIONS AND RESOLUTIONS

Moved by Ainsworth, duly seconded and carried, that House Bill No. 84 be placed at the foot of the list of General Orders.



Moved by Hanson, duly seconded and carried, that House Bills Nos. 209 and 210 be taken from General Orders and re-referred to Committee on Development and Publicity.

Moved by Burns, duly seconded and carried, that House Bill No. 157 be made Special Order of Business for Wednesday, February 11, at 3:00 P. M.

### CONSIDERATION OF GENERAL ORDERS

Moved by Ruffcorn, duly seconded and carried, that House resolve itself into Committee of the Whole for Consideration of General Orders, and that debate be limited to five minutes, except by special request.

Mr. Peterson in the chair.

Committee arose.

Mr. Speaker in the chair.

The Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration Senate Amendments to H. B. No. 3, H. B. No. 220, H. B. 225 and H. B. 243, respectfully report as follows: That

Senate Amendments to House Bill No. 3 be concurred in.

House Bill No. 220 be amended as follows:

Section 1. By adding after the word "owners" in line 13, the words "or legally authorized agents or representatives of minor owners."

Section 2. By adding after line 8 or before line 9, the following: "Section 3. That Section 7283 of the Revised Codes of Montana be and the same here is amended as follows:"

Section 3. By re-numbering Sections 3, 4, 5, 6, to be Sections 4, 5, 6 and 7 respectively; by striking out that portion after the word "shall" in line 4 and including the words "election precinct" in line 5 and adding in lieu thereof the words "give notice by mail to all land owners within the district"; and by striking out the word "posting" in line 5 and adding in lieu thereof, the word "mailing".

and that as so amended, House Bill No. 220, do pass.

House Bill No. 225 be re-referred to Committee on Banks and Banking.

House Bill No. 243 be amended as follows:

Section 1. By inserting in line 27 after the word "indirectly", "or a stock holder or director in a State Bank"; by striking out lines 28 and 29. and that as so amended, House Bill No. 243 do pass.

PETERSON, Chairman.

On motion of Peterson, report adopted.

The Committee on Printing reported as follows:

Mr. Speaker: We, your Committee on Printing, beg leave to report the following bills correctly printed: House Bills 276, 277, 280, 281, 282 and 289.

FRED W. ZEH, Chairman.

At the request of Mr. Ruffcorn, there being no objections, House reverted to Order of Business No. 6:

### MOTIONS AND RESOLUTIONS

Moved by Ruffcorn, duly seconded and carried, that House Bill No. 94 be placed second on list of General Orders.

Moved by Wuerthner, duly seconded and carried, that in honor of the memory of the late Judge Leslie, the House adjourn until 12:00 Noon, Monday, February 9, 1925.

R. C. BRICKER, Speaker.

Attest: H. J. FAUST, Chief Clerk.

**THIRTY-SIXTH DAY**

House of Representatives,  
Helena, Montana, February 9, 1925.

House met pursuant to adjournment at 12:00 Noon.

Mr. Speaker in the chair.

Prayer by the Chaplain.

On roll call all present except: Lemmon, excused on account of illness.

The Journal Committee reported as follows:

Mr. Speaker: We, your Committee on Journal, have this day examined the Journal for the 34th Legislative Day and found the same correct.

PARKIN, Vice-Chairman.

On motion of Parkin, report adopted.

The Engrossing Committee reported as follows:

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 192, 174, 224, 151, 243, 226, 227, 228 and 140.

BERRYMAN, Chairman.

On motion of Berryman, report adopted.

The Printing Committee reported as follows:

Mr. Speaker: We, your Committee on Printing, beg leave to report the following bills correctly printed: House Bills 2, 47, 69, 175, 176, 198, 231, 253.

FRED W. ZEH, Chairman.

On motion of Zeh, report adopted.

The Enrolling Committee reported as follows:

Mr. Speaker: We, your Committee on Enrolling beg leave to report the following bills correctly enrolled: House Bills 57 and 111.

McAFEE, Chairman.

On motion of McAfee, report adopted.

**NOTICES**

Authors gave notice that they will on tomorrow or some subsequent day introduce bills as follows:

By Morris and Donaldson: A Bill for an Act Entitled: "An Act to authorize Board of Trustees of County High Schools to acquire property for dormitory or gymnasium purposes."

By Nelstead: A Bill for an Act Entitled: "An Act to amend Section 1 of Chapter 154, of the Session Laws of 1923, relating to motor vehicles."

By Fitzgerald, Beadle and Mulholland: "An Act to amend Section 2000 of the Political Code, Revised Codes of Montana, 1921, relating to the basis for imposition of taxes."

By Donaldson: A Bill for An Act Entitled: "An Act requiring annual statements to be made showing the financial condition of cities and towns."

By Beadle, Mulholland, Fitzgerald: A Bill for An Act Entitled: "An Act to create a police relief, health and insurance fund in incorporated cities of the first class, having a population of 40,000 or more, providing for the disbursement thereof, and creating a Board of Police Pension Fund Commissioners. (Laws 1909, P. 59, approved March 2, 1909, as amended by act approved February 21, 1911, Laws 1911, P. 55, and further amended by act approved March 8, 1915, Laws 1915, P. 137)."

By Fitzgerald, Mulholland and Beadle: A Bill for An Act Entitled: "An Act to repeal Chapter 160 of the Eighteenth Legislative Assembly of Montana, Laws of Montana of 1923, Sections 1 to 133 inclusive thereof, the same being "An Act to authorize and provide for the consolidation and merging of the corporate existence and government of the County of Silver Bow and all Cities and Towns therein into one Municipal Corporation and government under the corporate name 'City and County of Butte,' defining the powers thereof and providing a Commission-Manager plan of government therefor."

By Lincoln, Plank, Ainsworth, Dellwo, Parkin, Moulton and Cusick: A Bill for An Act Entitled: "An Act providing for a commission form of government for counties, providing for the election and appointment of officers therein, defining their powers and duties and providing for their compensation."

By Fitzgarrald and Strange: A Bill for An Act Entitled: "An Act to amend Chapter 51, Part four of the Revised Codes of Montana of 1921, relating to Fire Protection in un-incorporated towns by adding thereto a Section to be known as Section 5148-a."

By White, Beadle, Lincoln and Leavens: A Bill for An Act Entitled: "An Act amending Section 1529 of the Revised Codes of Montana, relating to the Board of Managers of the Soldiers' Home and the appointment of the same, and fixing their terms of office."

By Morris and Donaldson: A Bill for an Act Entitled: "An Act to authorize Board of County Commissioners to grant to public schools any property acquired by the County, which may be useful or available for school purposes."

By Burns, by request: A Bill for An Act Entitled: "An Act to amend Sections 1, 11, 12, 15, 18 and 19 of Chapter 65 of the Eighteenth Legislative Assembly of the State of Montana, relating to the establishment of a tax on direct and collateral inheritances, bequests, and devises, and relating to the duties imposed upon judges of District Courts and Clerks of the District Court in relation thereto."

By Andrus, by request: A Bill for An Act Entitled: "An Act to amend Section 5226 of the Revised Codes of Montana, relating to special improvement districts and to repeal Chapter 135 of the Session Laws of 1923."

By Kelly: A Bill for An Act Entitled: "An Act for the submission to the qualified electors of the State of Montana of an amendment to Section 2 of Article 12 of the Constitution of Montana, relating to property exempt from taxation."

By Loble and Keley: A Bill for An Act Entitled: "An Act to repeal Section 10936 of the Revised Codes of Montana, 1921, relating to commission of barratry."

By Moriarty: A Bill for An Act Entitled: "An Act to create a police relief, health and insurance fund in incorporated cities of the first class providing for the disbursement thereof, and creating a Board of Police Pension Fund Commissioners."

By Akofer: A Bill for An Act Entitled: "An Act to amend Section 1743, Revised Codes of Montana, 1921, relating to speed and traffic regulations applying to persons driving vehicles upon public streets and highways of this state, by adding thereto a new subdivision to be known as "Subdivision 5" providing for signals on turning and providing for the approval of mechanical and electrical signal devices for motor cars; and by adding a further sub-division to be known as "Sub-division 6" relating to stopping motor vehicles at railroad crossings; and providing a penalty for a violation of said section, and payment thereof to the general road fund of the county."

Mr. Speaker gave notice that he was about to sign House Bill No. 57 and House Bill No. 111 and thereupon signed the same.



Authors gave notice that they will on tomorrow or some subsequent day introduce bills as follows:

By Committee on Dairies and Dairying, Fitzgarrald, Chairman: A Bill for An Act Entitled: "An Act prohibiting the purchase for or use in state institutions of oleomargarine or other substitutes for butter and providing penalties for the violation of this act."

By Committee on Dairies and Dairying, Fitzgarrald, Chairman: A Bill for An Act Entitled: "An Act regulating the advertising of oleomargarine and providing penalties for the violation of this act."

By Committee on Dairies and Dairying, Fitzgarrald, Chairman: A Bill for An Act Entitled: "A Bill for the compulsory pasteurization of milk and cream used in the manufacture of butter and ice cream."

By Committee on Dairies and Dairying, Fitzgarrald, Chairman: A Bill for An Act Entitled: "A Bill for an Act requiring the proper cleansing and return to owners of containers of milk, cream and ice cream, and providing penalties for the violation of this act."

By Committee on Dairies and Dairying, Fitzgarrald, Chairman: A Bill for an Act Entitled: "An Act requiring the licensing of dealers in oleomargarine or other substitutes for dairy products, fixing the fees for same and providing penalties for the violation of this act."

By Fitzgarrald, and Strange: A Bill for An Act Entitled: "An Act to amend Sections 1999 and 2000 of the Revised Codes of Montana of 1921, relating to the classification of taxable property."

By Fitzgarrald, and Strange: A Bill for An Act Entitled "An Act to amend Section 1760 of the Revised Codes of Montana of 1921, as amended by Chapter 107 of the Laws of the Eighteenth Legislative Assembly, relating to the registration fees of motor vehicles and disposition thereof, and repealing all acts and parts of acts in conflict therewith."

By Fitzgarrald and Strange: A Bill for An Act Entitled: "An Act to amend Sections 2382, 2383 and 2392 of the Revised Codes of Montana of 1921, as amended by Chapter 150 of the Laws of the Eighteenth Legislative Assembly, relating to the imposition of the tax on gasoline and collection and disposition thereof, and providing for the refunding of taxes paid in certain cases."

## REPORT OF STANDING COMMITTEES

The following reports were received from Standing Committees:

Mr. Speaker: We, your Committee on Employment, recommend the appointment of the following:

General Stenographer—Frances Minor.

Transfer from general stenographer to Journal, (night work) Raymond Hayes.

DAVIS, Chairman.

On motion of Hanson, report adopted.

Mr. Speaker: We, your Committee on State Boards and Officers having had under consideration House Bill No. 33, introduced by Besancon: A Bill for an Act entitled: "An Act to amend Sections 1818, 1819, 1820, 1822, and 1826 of the Montana Revised Codes of 1921; to repeal Section 1821, relating to the powers, duties and salaries of the register of State Lands, his deputy, clerks and assistants; to abolish the office of State Land Agent by repealing Sections 1824, 1825, 1827 and 1828 of said Codes and to amend Section 1829 thereof." Respectfully report as follows: That House Bill No. 33, be referred to the Judiciary Committee.

SCHOENING, Chairman.

On motion of Schoening, report adopted.

Mr. Speaker: We, your Committee on State Boards and Officers having had under consideration House Bill No. 272, introduced by Besancon, A Bill for an Act entitled: "An Act to amend Section 145 of the

Montana Revised Codes of 1921, relating to the fees charged by the Secretary of State," respectfully report as follows: That House Bill No. 272 do pass.

SCHOENING, Chairman.

On motion of Schoening, report adopted.

Mr. Speaker: We, your Committee on State Boards and Officers having had under consideration House Bill No. 152, introduced by Holt, A Bill for an Act entitled: "An Act to amend Section 5161 of the Revised Codes of Montana, 1921, relating to the appointment and organization of park commission records and reports." Respectfully report as follows: That House Bill No. 152 do not pass.

SCHOENING, Chairman.

On motion of Schoening, report adopted.

Mr. Speaker: We, your Committee on Horticulture, having had under consideration House Bill No. 300, introduced by the Committee on Horticulture, A Bill for an Act entitled: "An Act to create the Horticultural Revolving Fund, providing for its administration and its return to the General Fund." Respectfully report as follows: That House Bill No. 300 do pass.

McAFEE, Chairman.

On motion of Flachsenhar, report adopted.

### INTRODUCTION OF BILLS AND MEMORIALS

The following bills were introduced, read first and second times by title only and referred to the following committees:

House Bill No. 322, introduced by Graybill: A Bill for An Act Entitled: "An Act to amend Chapter 21 of Part IV, of the Political Code of the Revised Codes of Montana, 1921, by adding thereto a new section to be known as Section 4711A, Authorizing Boards of County Commissioners to sell, assign, compromise or otherwise dispose of obligations held by the County under the provisions of Chapters 20 and 21, of Part IV, of the Political Code of the Revised Codes of Montana of 1921." Referred to Townships and Counties Committee.

House Bill No. 323, introduced by Graybill, A Bill for an Act Entitled: "An Act to amend Section 10376 of the Revised Codes of Montana, 1921, relating to powers of clerks of court to issue notices and orders in probate and guardian matters." Referred to Judiciary Committee.

House Bill No. 324, introduced by Donaldson, A Bill for an Act Entitled: "An Act to amend Section 4917 of the Revised Codes of Montana of 1921, relating to the fees of County Clerks." Referred to Ways and Means Committee.

House Bill No. 325, introduced by Loble and Keeley. A Bill for an Act Entitled: "An Act to repeal Section 2440, of the Revised Codes of Montana, 1921, relating to license for laundries." Referred to Ways and Means Committee.

House Bill No. 326, introduced by Brandt, Harris, Clarke, D. R. Smith, J. J. Berryman, Troy, Dellwo, Donaldson, Rupert, Fitzgarrald, Hoffman, Waite, White, Davis, Holton, Fairgrieve, Moss, Eaton, Wold, Strange, Nelson, Ruffcorn, Cusick, Holt, McCarty, E. Johnson, Burns, Nelstead, Rice, Schoening, Bergstrom, Tinsley, Besancon, A. Johnson, Hedrick, Flachsenhar, Graybill, Fletcher and Ainsworth, A Bill for an Act Entitled: "An Act to regulate motion picture shows providing for the creation of a State Board of Censors of motion pictures and prescribing penalties for the violation of this Act." Referred to Revenue and Taxation.

### MOTIONS AND RESOLUTIONS

Moved by Ruffcorn, duly seconded and carried, that House Bill No. 134 be placed at the foot of first column of list of General Orders.

## CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

Moved by Ruffcorn, duly seconded and carried, that messages from Senate be considered read at length and the Journal so show.

The following messages were received from Senate:

Helena, Montana, February 7, 1925

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that H. B. No. 64, by Brandt and Nelson, was this day read third time and concurred in as amended, title agreed to, and is herewith returned to the House for concurrence in Senate amendments.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 7, 1925

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that H. B. No. 32, by Donaldson and Flachsenhar, was this day read third time and concurred in as amended, title agreed to, and is herewith returned to the House for concurrence in Senate Amendments.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 7, 1925

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that H. B. No. 171, by Duncan, was this day read third time, and not concurred in, and is herewith returned to the House.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 7, 1925

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that H. J. M. No. 2, by McCarty, and H. B. No. 111 by Burns, were this day read third time and concurred in, title agreed to, and are herewith returned to the House; also H. B. No. 57 by Moss.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 7, 1925

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read first and second times and referred to the Standing Committees:

H. B. No. 95 Banks and Banking.

H. B. No. 136 Judiciary.

H. B. No. 178 Judiciary.

H. B. No. 186 Labor and Capital.

H. B. No. 191 Education.

H. B. No. 194 Elections and Privileges.

H. B. No. 202 Taxation.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 7, 1925

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Notices were this day given:

By Taylor: "An Act creating a laborer's lien on the products of his work or labor, for such work and labor, and providing for the manner of the enforcement of such laborer's lien."

By Walker: "An Act to simplify and coordinate administration by changing the name of 'The Board of Railroad Commissioners of the State of Montana' to 'Public Service Commission of Montana.'"



By Buttelman, Smith, Pauline: "An Act regulating public dances, dance halls, and other places of amusement, defining the powers of boards of county commissioners, city and town councils and city commissioners in relation thereto, governing the attendance of minors thereat, providing for the licensing and supervision thereof, and fixing penalties for the violation of this Act."

By Mears: "An Act to amend Sections 4312, 4327 of the Revised Codes of the State of Montana, 1921, relating to changing the boundaries of Chouteau and Judith Basin Counties."

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 7, 1925

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day introduced and referred to the Standing Committees:

Senate Substitute for S. B. No. 34, by Committee on Education: A Bill for an Act entitled: "An Act to amend Section 1199 of the Revised Codes of Montana 1921, relating to and fixing the amount of money which may be expended for the purchase of free text books and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Education.

S. B. No. 99, by Griffin: A Bill for an Act entitled: "An Act authorizing and empowering city and town councils in cities and towns owning and operating municipal water systems as public utilities, to furnish water to factories and other industries located within or outside the corporate limits of such cities or towns, and providing what rates for service shall be charged therefor." Referred to Committee on Counties and Towns.

S. B. No. 100, by Paul: A Bill for an Act entitled: "An Act to permit the storage of explosives upon the rights of way of railroads during construction and when such railroads are in actual operation, at certain points and places where emergency use for such explosives is lively to occur." Referred to Committee on Railroads and Transportation.

S. B. No. 101, by Griffin: A Bill for an Act entitled: "An Act to amend Section 6039 of the Revised Codes of Montana of 1921 relating to the investment of capital of savings banks." Referred to Committee on Banks and Banking.

S. B. No. 102, by Pomeroy: A Bill for an Act entitled: "An Act relating to redemption for tax sales amending Section 2202 of the Revised Codes of Montana, thereby authorizing redemption to be made from tax sale for irrigation district taxes upon surrender of debenture certificate." Referred to Committee on Irrigation and Water Rights.

S. B. No. 103, by Pomeroy: A Bill for an Act entitled: "An Act relating to irrigation districts, amending Sections 7244 and 7245 of the Revised Codes of Montana, authorizing and empowering the board of commissioners of irrigation districts to sell debenture certificates for such consideration as to them shall seem just, and empowering county treasurers to accept in payment of taxes for which debenture certificates have been issued an amount less than that called for by the certificates." Referred to Committee on Irrigation and Water Rights.

S. B. No. 104, by Oliver: A Bill for an Act entitled: "An Act to amend Sections 6078 and 6079 of the Revised Codes of Montana of 1921 relating to the powers and duties of the superintendent of banks over insolvent banks or banks with an impaired capital, and providing for establishing claims against such banks, and providing for the procedure for the liquidation of banks, and the appointment of receivers." Referred to Committee on Banks and Banking.

S. B. No. 105, by McCone and Oliver: A Bill for an Act entitled: "An Act to amend Section 6023 of the Revised Codes of Montana of 1921 relating to the amount of capital stock and surplus necessary to the procuring of certificate of authorization, and providing further for the fixing

of the amount of capital stock and surplus necessary in cities or towns of different population." Referred to Committee on Banks and Banking.

S. B. No. 106, by Scofield: A Bill for an Act entitled: "An Act to amend Section 699 of the Revised Codes of the State of Montana relating to who may receive the assistance of the judges of election in marking their ballots." Referred to the Committee on Elections and Privileges.

S. B. No. 107, by Taylor: A Bill for an Act entitled: "An Act to amend Section 1 of Chapter 90 of the Session Laws of the Eighteenth Legislative Assembly of the State of Montana relating to insolvency of banks." Referred to the Committee on Banks and Banking.

Respectfully,

J. F. CONE, Secretary of Senate.

Senate amendments to House Bill No. 3 by Besancon, were concurred in by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Caplis, Cusick, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Flynn, Gordon, Graybill, Green, Hanson, Hawley, Hedrick, Higham, Hoffman, Holton, Joffray, Johnson, (Fergus), Johnson, (Valley), Keeley, Kelly, Kennedy, Kinville, Larson, (Cascade), Larsen, (Sheridan), Larson, (Sheridan), Leavens, Lincoln, Loble, Meagher, Merritt, Miller, Moriarty, Morris, Moss, Moulton, Mulholland, Murphy, McAfee, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Peterson, Plumer, Reed, Ruffcorn, Rupert, Ryder, Sales, Schoening, Steeves, Stoddard, Strange, Throssel, Tinsley, Waite, Walker, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—82.

Noes: Clarke, Harris, Smith (Beaverhead). Total—3.

Absent and not voting: Castles, Davis, Fletcher, Fox, Hardcastle, Holt, Lemmon, Masters, McCarty, Peat, Plank, Rice, Shields, Smith (Lewis and Clark), Troy, Wold. Total—16.

The Speaker authorized the Clerk to strike out the last three lines of the title of House Bill No. 140 in accordance with amendments made in Committee of the Whole, but which failed to be struck out in Engrossing the bill.

House Bill No. 140, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Clarke, Cusick, Davis, Dellwo, Donaldson, Duncan, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Flynn, Gordon, Graybill, Green, Hanson, Hardcastle, Harris, Hawley, Hedrick, Higham, Hoffman, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Loble, Masters, Meagher, Merritt, Miller, Moriarty, Morris, Moss, Moulton, Mulholland, McAfee, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Peterson, Plank, Plumer, Reed, Rice, Ruffcorn, Rupert, Ryder, Schoening, Shields, Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Tinsley, Waite, Walker, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—87.

Noes: None.

Absent and not voting: Caplis, Castles, Doran, Fletcher, Fox, Holt, Lemmon, Murphy, McCarty, Peat, Sales, Smith (Lewis and Clark), Troy, Wold. Total—14.

House Bill No. 151, by Peat by request, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Clarke, Cusick,



Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Flynn, Gordon, Graybill, Green, Hardcastle, Harris, Hawley, Hedrick, Higham, Hoffman, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Loble, Masters, Meagher, Merritt, Miller, Moriarity, Morris, Moss, Moulton, Mulholland, McAfee, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Reed, Rice, Ruffcorn, Rupert, Ryder, Sales, Schoening, Shields, Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Tinsley, Waite, Walker, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—88.

Noes: None.

Absent and not voting: Caplis, Castles, Davis, Fletcher, Fox, Hanson, Holt, Lemmon, Murphy, McCarty, Smith (Lewis and Clark), Troy, Wold. Total—13.

House Bill No. 174, by Loble, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Flynn, Gordon, Graybill, Green, Hanson, Hardcastle, Harris, Hawley, Higham, Hedrick, Hoffman, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Loble, Masters, Meagher, Merritt, Miller, Moriarity, Morris, Moss, Mulholland, McAfee, McCarty, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Peterson, Plank, Plumer, Reed, Rice, Ruffcorn, Rupert, Ryder, Sales, Schoening, Shields, Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Tinsley, Waite, Walker, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—89.

Noes: None.

Absent and not voting: Caplis, Castles, Fletcher, Fox, Holt, Lemmon, Moulton, Murphy, Peat, Smith (Lewis and Clark), Troy, Wold. Total—12.

House Bill No. 192, by Sales, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Caplis, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Fairgrieve, Fitzgarrald, Flachsenhar, Flynn, Gordon, Graybill, Hanson, Hardcastle, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Johnson (Fergus), Johnson (Valley), Keeley, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Loble, Masters, Meagher, Merritt, Moriarity, Morris, Moss, Moulton, Mulholland, Murphy, McAfee, McCarty, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Reed, Rice, Ruffcorn, Rupert, Ryder, Sales, Schoening, Shields, Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Tinsley, Waite, Walker, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—88.

Noes: None.

Absent and not voting: Castles, Eaton, Fitzgerald, Fletcher, Fox, Green, Joffray, Kelly, Lemmon, Miller, Smith (Lewis and Clark), Troy, Wold. Total—13.

House Bill No. 224, by Committee on Banks and Banking, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Caplis, Clarke, Cusick, Davis, Dellwo, Donaldson, Duncan, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Flynn, Gordon, Graybill, Green, Hanson, Hardcastle, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Joffray, John-



son (Fergus), Johnson (Valley), Keeley, Kennedy, Larson (Cascade), Larsen (Sheridan), Leavens, Lincoln, Loble, Masters, Meagher, Merritt, Miller, Moriarity, Moss, Moulton, Mulholland, Murphy, McCarty, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Rice, Ruffcorn, Rupert, Ryder, Sales, Schoening, Shields, Smith (Beaverhead), Steeves, Strange, Throssel, Tinsley, Waite, Walker, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—86.

Noes: None.

Absent and not voting: Andrus, Castles, Doran, Fox, Kelly, Kinville, Larson (Sheridan), Lemmon, Morris, McAfee, Reed, Smith (Lewis and Clark), Stoddard, Troy, Wold. Total—15.

House Bill No. 226, by Committee on Banks and Banking, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgerald, Flachsenhar, Fletcher, Gordon, Graybill, Green, Hanson, Hardcastle, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kennedy, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Loble, Masters, Merritt, Miller, Moriarity, Morris, Moss, Mulholland, Murphy, McAfee, McCarty, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Rice, Ruffcorn, Rupert, Ryder, Sales, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Strange, Throssel, Tinsley, Waite, Walker, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—86.

Noes: None.

Absent and not voting: Caplis, Castles, Fitzgarrald, Flynn, Fox, Kelly, Kinville, Lemmon, Meagher, Moulton, Reed, Shields, Stoddard, Troy, Wold. Total—15.

House Bill No. 227, by Committee on Banks and Banking, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Clarke, Cuisck, Davis, Dellwo, Donaldson, Doran, Duncan, Fairgrieve, Fitzgerald, Flachsenhar, Fletcher, Gordon, Graybill, Green, Hanson, Harris, Hawley, Hedrick, Hoffman, Holt, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kennedy, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Loble, Meagher, Merritt, Miller, Moriarity, Morris, Moss, Moulton, Mulholland, Murphy, McAfee, McCarty, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Reed, Rice, Rupert, Ryder, Sales, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Tinsley, Waite, Walker, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—86.

Noes: Flynn. Total—1.

Absent and not voting: Caplis, Castles, Eaton, Fitzgarrald, Fox, Hardcastle, Higham, Kelly, Kinville, Lemmon, Masters, Ruffcorn, Troy, Wold. Total—14.

House Bill No. 228, by Committee on Banks and Banking, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Campbell, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Flachsenhar, Fletcher, Flynn, Gordon, Graybill, Green, Hanson, Hardcastle, Harris, Hawley, Hedrick, Higham, Holt, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kennedy, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Loble, Masters, Meagher, Merritt, Miller, Moriarity, Morris, Moulton, Mulholland, Murphy, McAfee, McGrath, Nagle, Nelson, Nelstead,

Parkin, Patterson, Peat, Peterson, Plank, Plumer, Reed, Rice, Ruffcorn, Rupert, Ryder, Sales, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Tinsley, Waite, Walker, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—85.

Noes: None.

Absent and not voting: Burns, Caplis, Castles, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Fox, Hoffman, Kelly, Kinville, Lemmon, Moss, McCarty, Troy, Wold. Total—16.

House Bill No. 243, by Committee on Banks and Banking, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Caplis, Castles, Clarke, Cusick, Davis, Donaldson, Doran, Duncan, Fitzgerald, Flachsenhar, Fletcher, Flynn, Gordon, Graybill, Green, Hanson, Hardcastle, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Loble, Masters, Meagher, Merritt, Miller, Moriarity, Morris, Moulton, Mulholland, Murphy, McAfee, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Reed, Rice, Ruffcorn, Rupert, Ryder, Sales, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Waite, Walker, Walton, White, Zeh, Mr. Speaker. Total—88.

Noes: Harris, Tinsley, Wuerthner. Total—3.

Absent and not voting: Dellwo, Eaton, Fairgrieve, Fitzgarrald, Fox, Lemmon, Moss, McCarty, Troy, Wold. Total—10.

At the request of Strange, House reverted to Order of Business No. 6:

### MOTIONS AND RESOLUTIONS

Moved by Strange, duly seconded and carried, that House Bill No. 255 be placed at the foot of the list of General Orders.

### CONSIDERATION OF GENERAL ORDERS

Moved by Ruffcorn, duly seconded and carried, that House now resolve itself into Committee of the Whole for Consideration of General Orders.

Mr. Leavens in the chair.

The committee rose.

Mr. Speaker in the chair.

The Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bill No. 94, respectfully report as follows:

That House Bill No. 94 be re-referred to Judiciary Committee.

LEAVENS, Chairman.

On motion of Leavens, report adopted.

Moved by Ruffcorn, duly seconded and carried, that House recess until 3:00 P. M.

### AFTERNOON SESSION

House resumed at 3:00 P. M.

Mr. Speaker in the chair.

SPECIAL ORDER  
CONSIDERATION OF GENERAL ORDERS

With respect to House Bill No. 193.

Moved by Ruffcorn, duly seconded and carried, that House resolve itself into Committee of the Whole for Special Order of Business set at this hour.

Mr. Leavens in the chair.

Committee arose.

Mr. Speaker in the chair.

Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bill No. 193, respectfully report as follows:

That House Bill No. 193, that the enacting clause be stricken.

LEAVENS, Chairman.

Moved by Leavens, duly seconded, that report be adopted.

On roll call being demanded by Loble, the motion carried by the following vote:

Ayes: Ainsworth, Anderson, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Castles, Clarke, Cusick, Davis, Donaldson, Duncan, Eaton, Fairgrieve, Fitzgarrald (Ravalli), Flachsenhar, Fletcher, Flynn, Gordon, Graybill, Green, Hanson, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Johnson (Valley), Larson (Cascade), Larsen (Sheridan), Lincoln, Merritt, Miller, Morris, Moss, McAfee, McCarty, Nelson, Parkin, Peterson, Plank, Plumer, Rice, Ruffcorn, Ryder, Sales, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Strange, Throssel, Tinsley, Walton, White, Wold, Wuerthner, Zeh. Total—62.

Noes: Akofer, Andrus, Beadle, Campbell, Caplis, Dellwo, Doran, Fitzgerald (Silver Bow), Fox, Hardcastle, Joffray, Johnson (Fergus), Keeley, Kelley, Kennedy, Kinville, Leavens, Loble, Masters, Meagher, Moriarity, Moulton, Mulholland, McGrath, Nagle, Nelstead, Patterson, Peat, Reed, Rupert, Shields, Stoddard, Troy, Waite, Walker. Total—35.

Absent and not voting: Larson (Sheridan), Lemmon, Murphy. Total—3.

Present and not voting: Mr. Speaker. Total—1.

Moved by Ruffcorn, duly seconded and carried, that House adjourn until 10:00 A. M., February 10, 1925.

R. C. BRICKER, Speaker.

Attest: H. J. FAUST, Chief Clerk.

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**THIRTY-SEVENTH DAY**

House of Representatives,  
Helena, Montana, February 10, 1925.

House met pursuant to adjournment at 10:00 A. M.

Mr. Speaker in the chair.

Prayer by the Chaplain.

On roll call all present except: Lemmon, excused on account of sickness.

The Committee on Journal reported as follows:

Mr. Speaker: We, your Committee on Journal, have this day examined the Journal for the 36th Legislative day and found the same correct.

NAGLE.

On motion of Smith of Beaverhead, report adopted.



## NOTICES

Authors gave notice that they will on tomorrow or some subsequent day introduce bills as follows:

By McAfee: A House Joint Resolution entitled: "Resolution allowing Wilsie M. Cramer to sue the State of Montana for a certain sum of money."

By McAfee: A Bill for an Act entitled: "An Act prescribing the qualifications for drivers of conveyances for transportation of pupils."

By Fairgrieve, Besancon, Keeley, Campbell, Akofer, Joffray, Kennedy: A Bill for an Act entitled: "An Act to amend Section 11085 of the Revised Codes of Montana of 1921, and providing for appointment, oath, bond, enforcement and removal of special officers for the purpose of enforcing the laws relating to intoxicating liquors."

By Nagle and Burns: A Bill for an Act entitled: "An Act to repeal Section 10,589 of the Revised Codes of Montana of 1921, relating to the manner of proving the execution of a writing."

## REPORTS OF SELECT COMMITTEES

Moved by Ruffcorn, duly seconded and carried, that report from Joint Committee appointed to investigate the problem of the rural schools be considered read at length and the Journal so show.

The following report was received from Joint Committee appointed to investigate the problem of the rural schools:

Report of Joint Committee appointed to investigate the problem of the rural schools:

Montana requires annually approximately \$12,000,000 to maintain the elementary and high schools on a greatly reduced program such as has been offered the children of the state the past two years. Of that amount more than \$6,500,000 was last year provided by the special levies of school districts, over \$4,000,000 by the counties and less than \$1,000,000 by the state. The committee believes such a distribution of responsibility is the reverse of what it should be if a "uniform, thorough system of public, free common schools" called for in the constitution is to be provided.

A study of systems of school finance in other states reveals the fact that there is a decisive movement toward increased responsibility on the part of the state. The following states supply more than 20% of their public school revenues:

Arizona, Arkansas, California, Delaware, Florida, Georgia, Kentucky, Louisiana, Maine, Maryland, Michigan, Minnesota, Mississippi, Nevada, New Jersey, New Mexico, Texas, Utah, Vermont, Virginia, Washington, Wyoming.

Montana provides only about 7% of the required school revenues. Inequalities in tax levies as well as in length of school terms are removed by the policy of larger support from the state and smaller requirements from the local districts in the form of special levies.

Montana's unequal distribution of the burden of school support forces many districts to greatly overburden themselves by excessive special levies amounting to 40, 50 and 60 mills or more, at the same time that other districts may finance their program upon very low special levies or no special levies at all.

In suggesting any plans for a reform in the method of school support the committee is obliged to take note of the fact that it is doubtful if sufficient revenues can be provided by the state without a constitutional amendment authorizing an increase in state revenues. A constitutional amendment means a delay of two years while conditions in hundreds of school districts demand immediate relief. Scores of over-age boys and girls in third, fourth and fifth grades in many rural schools, whose school days will soon be past, point to the sacrifice in citizenship of the state occasioned by short terms or no school facilities. Montana last year had in the first grade 20 boys and 13 girls who were 13 years of age or over; second grade, 56

boys and 27 girls who were 13 years of age or over; third grade, 109 boys and 87 girls who were 13 years of age or over; fourth grade, 326 boys and 195 girls who were 13 years of age or over; fifth grade, 840 boys and 546 girls who were 13 years of age or over. Thirteen is the age when many city children are almost ready to enter high school. The injustice of the present system of school support forces the committee to the conclusion that some form of prompt assistance must be provided.

The limited amount of state support which might be made available soon in the form of new state revenues would probably be most useful as an equalization fund to assist districts seriously handicapped by excessive special levies. A considerable number of districts do not need any state aid.

Minnesota extends help to districts with special levies in excess of 20 mills. The state of Maine gives \$500 annually to consolidated districts for the encouragement of consolidation. Such a plan would doubtless help to close many of Montana's very small schools and provide for children elsewhere. Michigan gives \$200 state aid to districts with one-room schools which are obliged to levy 12 mills or more for a seven months' term. Pennsylvania pays 25% of the teacher's salary in the wealthier districts, 35% in less wealthy and 50% in the lowest classes.

The distribution of the state income fund from school lands on the census basis is unfair, but a constitutional amendment would be required to change it. The larger cities receive a very unfair share of it for those persons on the school census who are under the age of twenty-one, but not in the public schools. As the amount of this apportionment is only about \$6.00 per child, it is recommended that the constitutional amendment required to alter this method of distribution be postponed to a later date.

Other state revenues now provided for the schools, however, the oil royalties, oil license tax, inheritance tax and metal mines tax, should be distributed by a uniform method and the unfair census basis should be abandoned for the teacher and attendance basis now provided in the inheritance tax law. There is no justice in allotting to city districts large revenues for children whom they are not educating while smaller schools are seriously handicapped by meager allotments.

Immediate help for needy districts might be provided by the state in the form of a poll tax or a luxury tax. Revenues from such sources under the administration of the State Board of Education, the county superintendents and other county officers could be made to assist in adjusting inequalities.

But the larger revenues which the state should eventually provide as a permanent policy so as to relieve the heavy responsibility now carried by the local districts would require a constitutional amendment. The committee recommends that such a constitutional amendment making it possible for the state to furnish one-third or more of the required revenues from a uniform property tax be introduced.

The committee further calls attention to the fact that large sums of money approximating a total of \$1,000,000 were diverted over a period of years by the state of Montana from the common school interest and income fund and used by the state. These moneys with interest since 1920, when the practice was stopped, should be repaid. The committee recommends that definite action on this matter should not be longer delayed.

There is serious question in the minds of the committee as to whether the costs of foreclosure proceedings in connection with farm loans should continue to be paid from the common school interest and income fund. This question should be definitely determined before the practice is allowed to continue further.

County Revenues—The second taxation unit for school support is the county. While the county's share in the total support is more nearly what it should be than is the share of either the state or the district, the county levy is not producing as much as should be provided by the counties nor as much as this six-mill levy did produce a few years ago before valuations were lowered. The decrease in revenues from this levy has been over \$500,000 since 1920.



Neither is the distribution of this six-mill county levy on the census basis just, for the same reasons mentioned before regarding the distribution of the state income fund. The public schools of Butte, Helena, Great Falls, Missoula and other larger cities receive apportionment from these funds for large numbers of children attending other schools as well as for those not in any school who are under twenty-one years of age. The distribution of these funds should be changed to the teacher and attendance basis, as now provided in the inheritance tax law. A change in the plan of distributing these funds would give a larger share to the smaller schools.

**District Revenues**—The third source of revenues and the one which has broken down from the heavy load in recent years is the district special levy. While 99 districts in the state required no special levy last year, 1379 districts were obliged to have levies in excess of 10 mills; 234 of these were in excess of 20 mills; 79 schools were unopened because of lack of funds and 336 schools were obliged to maintain shortened terms for the same reason. Deer Lodge, Meagher, Powell and Silver Bow counties had no special levies in excess of 10 mills in 1923-24, while special levies in seventeen other counties were in excess of 30 mills.

The unequal distribution of natural resources and centralization of wealth and population are responsible for the contrasting abilities of districts to finance a satisfactory educational program. Only one county at present has the distribution of such wealth equalized within its third class districts. Carbon county has all third class districts grouped as a unit for the purpose of the uniform special district levy required to give each district a nine months' school. All children have the opportunity to attend school nine months in that county. Schools enrolling fewer than five children are closed and the children are placed in other schools. The cost of operation was less in 1923-24 than the last year under the district system.

If such a plan were adopted for a uniform system for the state, certain amendments to the present county unit law are recommended.

1. That each sub-district should retain its present funds and present indebtedness and continue to meet this indebtedness by its own special levy.

2. That each sub-district should finance its own building program.

3. That the county board should consist of seven members, the chairman of the board of county commissioners, the county superintendent of schools, the county treasurer and four members from four sub-divisions of the county elected by the voters of those sub-divisions, no elective officer to be chairman of the board.

4. That those districts offering high school work should finance their own program of high school instruction if funds in addition to the county tax for high schools are required.

Other provisions of the present county unit law which have encouraged better management of school funds than exist under the district system are the requirement of itemized budgets by each board of trustees of the sub-districts, the closing of schools enrolling fewer than five children and providing for them in other districts, the countersigning of all warrants except for salaries by the county superintendent, and a salary schedule of teachers based on training and experience of teachers.

Help required is not confined to third class districts. A large number of second class districts have excessive special levies of 20, 30 and 40 mills. While the county unit plan would relieve the serious conditions in many third class districts, the suggested state equalization fund from such special state revenues as the luxury tax, poll tax or similar sources could be so distributed as to help wherever excessive levies are found.

**Training of Teachers**—The committee would also call attention to the meager training of many rural teachers and the state's responsibility in making it possible for the rural schools to be served by teachers more adequately prepared for their work. Every assistance possible should be given to increasing the effectiveness of the teaching in all schools, whether rural or city. To that end, the committee also recommends that our teacher training institutions, including high school normal training departments as



well as the State Normal College and departments of education of the State University and State College, include as a part of their courses of instruction for prospective teachers the cultivation of thrift, industry, honesty and obedience to law. Students should not leave teacher training institutions believing that the aim of teaching is merely to impart information. Teachers can do little to assist the home in the ethical training of children if they have not made a study of ways in which children's character may be moulded.

Summarized, the findings of the committee are as follows:

1. Montana has imposed too heavy a burden upon the school districts.
2. Increased state support is imperative.
3. The most serious problems are where to get the revenues and how to distribute them.
4. But limited state revenues can be provided immediately. These should be used as equalization funds. Luxury tax and poll tax are recommended for this purpose.
5. State income from school lands is not wisely distributed on census basis. Committee recommends postponing change in method since a constitutional amendment is required.
6. The method of distributing oil royalties, oil license tax, inheritance tax and metal mines tax should be uniform on teacher and attendance basis.
7. A constitutional amendment making possible a uniform property tax for greatly increasing the state's share in school support is recommended.
8. Legislation providing for a definite acknowledgment of the state's indebtedness to the common school interest and income fund and also providing a method of repaying the state's obligations should not be longer delayed.
9. The distribution of the six-mill county levy on the census basis is unjust to small districts. A change to teacher and attendance basis is recommended.
10. For the immediate relief of rural school conditions in all third class districts a very much amended form of county unit is recommended providing for a uniform levy over all such districts with distribution of funds in accordance with the needs of each district.

Amendments to county unit law:

1. The law be put in operation in all counties.
2. Each sub-district should retain present indebtedness and present funds.
3. Each sub-district should finance its own building program.
4. County board should consist of the chairman of board of county commissioners, county superintendent of schools, county treasurer and four members elected from four sub-divisions of county. No elective officer may be chairman of the board.
5. Districts offering high school work should finance their own program, if county funds for high schools are insufficient.
6. The state should give greater attention to the training of its teachers, particularly in ways of assisting the home in the cultivation of such virtues as will tend to establish high moral standards among children.

In conclusion the committee believes that a changed program of school support is inseparably connected with the colonization program now in progress in Montana. A contented rural population must be acknowledged as vital to the success and prosperity of the towns and cities of the state. Only when the farmer can rear and educate his children in the community in which he resides will there be contentment or permanency in the rural population of Montana.

JAMES GRIFFIN, Senate Chairman.  
G. T. DAVIS, House Chairman,  
R. PAULINE,  
WM. H. BUTTELMAN,  
ALBERT BESANCON,  
FRED HANSON.

## REPORT OF STANDING COMMITTEES

The following reports were received from Standing Committees:

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration House Bill No. 158, introduced by Besancon and Lincoln, respectfully report as follows: That House Bill No. 158 do pass.

HARRIS, Chairman.

On motion of Harris, report adopted.

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration House Bill No. 259, introduced by Flachsenhar, respectfully report as follows: That House Bill No. 269 do pass.

HARRIS, Chairman.

On motion of Harris, report adopted.

Mr. Speaker: We, your committee on Judiciary, having had under consideration House Bill No. 316, introduced by Besancon, respectfully report as follows: That House Bill No. 316 do pass.

BURNS, Chairman.

On motion of Burns, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 156, introduced by Beadle, respectfully report as follows: That House Bill No. 156 do not pass.

BURNS, Chairman.

On motion of Burns, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 75, introduced by McAfee, Moss, Lincoln, Cusick, respectfully report as follows: That House Bill No. 75 do not pass.

BURNS, Chairman.

On motion of Burns, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 290, introduced by Besancon, respectfully report as follows: That House Bill No. 290 do not pass.

BURNS, Chairman.

On motion of Burns, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 304, by Loble-Keeley, respectfully report as follows: That House Bill No. 304 do not pass.

BURNS, Chairman.

On motion of Burns, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 41, introduced by Nagle, respectfully report as follows: That House Bill No. 41 do pass.

BURNS, Chairman.

On motion of Burns, report adopted.

Mr. Speaker: We, your Committee on Development and Publicity, having had under consideration House Bill No. 148, introduced by Walker, respectfully report as follows: That House Bill No. 148 do pass.

GORDON, Chairman.

On motion of Gordon, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 184, respectfully report as follows: That House Bill No. 184 do not pass.

RUFFCORN, Chairman.

On motion of Ruffcorn, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration Substitute House Bill No. 184, respectfully report as follows: That Substitute for House Bill No. 184 do pass.

RUFFCORN, Chairman.

On motion of Ruffcorn, report adopted.

Mr. Speaker: We, your Committee on State Boards and Officers, having had under consideration House Bill No. 297, introduced by Parkin and Gordon, respectfully report as follows: That House Bill No. 297 do pass.

SCHOENING, Chairman.

On motion of Schoening, report adopted.

## INTRODUCTION OF BILLS AND MEMORIALS

The following bills were introduced, read first and second times by title only, and referred to committees as follows:

Senate Bill No. 52, introduced by Church: A Bill for an Act entitled: "An Act to amend Section 6269 of the Revised Codes of Montana, 1921, relating to the investment of funds of life insurance companies." Referred to Committee on Insurance.

Senate Bill No. 61, introduced by Corrington and Schnitzler: A Bill for an Act entitled: "An Act authorizing the State Treasurer of the State of Montana to discontinue the carrying of the Veterans' Welfare Interest and Sinking Fund and authorizing the State Treasurer to transfer all moneys in said fund to the General Fund of the State." Referred to Committee on Appropriations.

Senate Bill No. 63, introduced by Corrington and Schnitzler: A Bill for an Act entitled: "An Act to authorize the State Treasurer of the State of Montana to discontinue the carrying of the Capitol Annex Bond Fund and to authorize the State Treasurer of the State of Montana to transfer all moneys from said fund to the Capitol Building Interest and Sinking Fund." Referred to Committee on Appropriations.

Senate Bill No. 64, introduced by Corrington and Schnitzler: A Bill for an Act entitled: "An Act to amend Section 2645 of the Revised Codes of Montana of 1921, relating to the disposition of the fees collected by the State Board of Health." Referred to Committee on Appropriations.

Senate Bill No. 65, introduced by Corrington and Schnitzler: A Bill for an Act entitled: "An Act to authorize the State Treasurer of the State of Montana to discontinue the carrying of the Biological Station Maintenance Fund, and authorizing the State Treasurer to transfer the money in said fund to the University Interest and Income Fund of the State of Montana." Referred to Committee on Appropriations.

Senate Bill No. 66, introduced by Corrington and Schnitzler: A Bill for an Act entitled: "An Act authorizing the State Treasurer of the State of Montana to discontinue the carrying of the Anti-Hog-Cholera Serum Fund, and authorizing the State Treasurer to transfer the money in said fund to the General Fund of the State of Montana." Referred to Committee on Appropriations.

Senate Bill No. 67, introduced by Corrington and Schnitzler: A Bill for an Act entitled: "An Act to repeal Section 4208 of the Revised Codes of Montana of 1921 relating to the State Gasoline Inspection Fund and authorizing the State Treasurer to transfer the balance now therein to the General Fund." Referred to Committee on Appropriations.

Senate Bill No. 77, introduced by Committee on Finance and Claims: A Bill for an Act entitled: "An Act authorizing the State Board of Examiners to issue and dispose of 'Capitol Building Bonds' to the amount of twenty-five thousand dollars for the purpose of constructing a vault in connection with the office of the State Treasurer." Referred to Committee on Appropriations.

House Bill No. 327, introduced by Strange and Fitzgarrald: A Bill for an Act entitled: "An Act to amend Chapter 51, Part 4, of the Revised



Codes of Montana of 1921, relating to fire protection in unincorporated towns, by adding thereto a section to be known as Section 5148-A." Referred to Committee on Townships and Counties.

House Bill No. 328, introduced by White, Beadle, Lincoln, Leavens: A Bill for an Act entitled: "An Act amending Section 1529 of the Revised Codes of Montana of 1921, relating to the Board of Managers of the Soldiers' Home, and the appointment of the same, and fixing their terms of office." Referred to Committee on Military Affairs.

House Bill No. 329, introduced by Akofer: A Bill for an Act entitled: "An Act to amend Section 1743, Revised Codes of Montana, 1921, relating to speed and traffic regulations applying to persons driving vehicles upon public streets and highways of this State by adding thereto a new subdivision to be known as 'Subdivision 5' providing for signals on turning and providing for the approval of mechanical and electrical signal devices for motor cars; and by adding a further subdivision to be known as 'Subdivision 6' relating to stopping motor vehicles at railroad crossings; and providing a penalty for a violation of said section, and payment thereof to the General Fund of the county." Referred to Committee on Highways.

House Bill No. 330, introduced by Committee on Highways: A Bill for an Act entitled: "An Act to amend Sections 2382, 2383 and 2392, of the Revised Codes of Montana of 1921, as amended by Chapter 150 of the Laws of 1923, and to amend Sections 2384 and 2389 of the Revised Codes of Montana of 1921, all relating to the imposition of the tax on the sale of gasoline, the collection and disposition thereof, and prescribing a penalty for neglect or refusal to furnish statements and to pay the tax." Referred to Committee on Highways.

House Bill No. 331, introduced by Committee on Highways: A Bill for an Act entitled: "An Act to amend Section 1760 of the Revised Codes of Montana, 1921, as amended by Chapter 107 of the Laws of the Eighteenth Legislative Assembly relating to the registration fees for motor vehicles and the disposition thereof and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Highways.

House Bill No. 332, introduced by Andrus: "An Act to amend Section 5226 of the Revised Codes of Montana relating to special improvement districts and to repeal Chapter 135 of the Session Laws of 1923." Referred to Committee on Affairs of Cities.

House Bill No. 333, introduced by Moriarity: A Bill for an Act to create a police relief, health and insurance fund in incorporated cities of the first class, providing for the disbursement thereof, and creating a board of police pension fund commissioners." Referred to Committee on Ways and Means.

House Bill No. 334, introduced by Donaldson: A Bill for an Act entitled: "An Act requiring annual statements to be made showing the financial condition of cities and towns." Referred to Committee on Affairs of Cities.

House Bill No. 335, introduced by Burns, by request: "An Act to amend Sections 1, 11, 12, 15, 18 and 19 of Chapter 65 of the Eighteenth Legislative Assembly of the State of Montana, relating to the establishment of a tax on direct and collateral inheritances, bequests, and devises, and relating to the duties imposed upon judges of District Courts and Clerks of the District Courts in relation thereto." Referred to Committee on Judiciary.

House Bill No. 336, introduced by Kelly: A Bill for an Act entitled: "An Act for the submission to the qualified electors of the State of Montana of an amendment to Section 2 of Article 12 of the Constitution of Montana, relating to property exempt from taxation." Referred to Committee on Constitutional Amendments.

House Bill No. 337, introduced by Loble and Keeley: A Bill for an Act entitled: "An Act to repeal Section 10936, of the Revised Codes of Montana, 1921, relating to commission of barratry." Referred to Committee on Judiciary.

Mr. Speaker: We, your Committee on Enrolling beg leave to report the following bills correctly enrolled: House Bills No. 3 and 137; House Joint Memorials Nos. 1, 2 and 3.

McAFEE, Chairman.

### MOTIONS AND RESOLUTIONS

Moved by Larsen, duly seconded and carried, that House Bill No. 2 be taken from General Orders and made Special Order of Business for Thursday, February 12, at 3:00 P. M.

Moved by Troy, duly seconded and carried, that House Bill No. 260 be placed at the top of list of General Orders.

Mr. Speaker gave notice that he was about to sign House Joint Memorial No. 3, House Joint Memorial No. 1, House Bill No. 137, House Joint Memorial No. 2 and House Bill No. 3, and thereupon signed the same respectively.

### COMMUNICATIONS FROM GOVERNOR AND SENATE

Helena, Montana, February 9, 1925.

The Speaker, House of Representatives,  
Helena, Montana.

I have the honor to advise you that I have this day approved the following measures:

House Bill No. 57, relating to the number of peremptory challenges of jurors allowed the State in the trial of criminal cases.

House Bill No. 111, relating to judgments, costs and damages for mandamus proceedings.

J. E. ERICKSON, Governor.

Moved by Ruffcorn, duly seconded and carried, that messages from Senate be considered read at length and Journal so show.

Helena, Montana, February 9, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that on motion duly made and seconded, the Senate requested the return of House Bill No. 171, by Duncan.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 9, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time, and passed, title agreed to, and are herewith transmitted to the House for concurrence:

S. B. No. 52, by Church.

S. B. No. 61, by Corrington and Schnitzler.

S. B. No. 63, by Corrington and Schnitzler.

S. B. No. 64, by Corrington and Schnitzler.

S. B. No. 65, by Corrington and Schnitzler.

S. B. No. 66, by Corrington and Schnitzler.

S. B. No. 67, by Corrington and Schnitzler.

S. B. No. 77, by Committee on Finance and Claims.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 9, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Notices were this day given:

By Survant: "An Act providing for filing all deeds and conveyances affecting real property, prescribing the quality of paper to be used, providing for certified copies of all instruments filed, providing for fees for filing, and providing penalties for removing any filed instrument.

By Taylor: "An Act to repeal Sections 10740, 10741 and 10742, relating to criminal syndicalism and sabotage, and Sections 10743 and 10744 relating to unlawful assembling, of the Revised Codes of the State of Montana of 1921."

By Taylor: "An Act to repeal Sections 10737, 10738 and 10739 relating to sedition, of the Revised Codes of the State of Montana of 1921."

By Pomeroy, McCormick, McCabe, Watson, Buttelman: "An Act amending Section 8812 of the Revised Codes of Montana of 1921, relating to Judicial Districts and abolishing the Twelfth Judicial District, and attaching the County of Chouteau to the Eighth Judicial District, which district shall have have two district judges."

By Pomeroy: "An Act relating to irrigation districts and amending Section 7214 of the Revised Codes of Montana, 1921, as amended by Section 9 of Chapter 157 of the Session Laws of 1923."

By Pauline: "An Act to require the State Fish and Game Commission to make bi-monthly reports of all receipts and disbursements to the Governor."

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 9, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Notices were this day given:

By Oliver: "An Act to provide for the distribution of coal mines' license tax and repealing Section 2324 of the Revised Codes of Montana, 1921."

By Oliver: "An Act to provide for the sale of all motor vehicles licenses and the establishment of a department for the same at the State Penitentiary of the State of Montana; and the repeal of Section 1755 of the Revised Codes of Montana, 1921."

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 9, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee of the Whole, having had under consideration Business on General File, report as follows:

That action on S. B. No. 24 be indefinitely postponed.

That S. B. No. 70 do pass.

That H. B. No. 14 be concurred in as amended.

That H. B. No. 25 be amended in Section 1 by striking out all the words following the word "evident" in line 17, and substituting the following words: "and in any instance where the voter has shown intention to vote for a person by writing the name in the proper space under the office designated upon said ballot it shall not be necessary for such voter to make an "X" or other sign as further evidence of the intention of such voter to vote for the person whose name was written upon said ballot," and as so amended, it be concurred in.

That H. B. No. 26 be concurred in.

That H. B. No. 49 be concurred in as amended.

That H. B. No. 106 be concurred in.

That consideration of H. B. No. 110 be passed for the day.

That H. B. No. 126 be concurred in.

That H. B. No. 154 be concurred in.



That the enacting clause be stricken from H. B. No. 180.  
Report adopted.

Respectfully,  
J. F. CONE, Secretary of Senate.

Helena, Montana, February 9, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read first and second times and referred to the Standing Committees:

House Bill No. 208—Agriculture.

House Bill No. 214—Education.

House Bill No. 211—Finance and Claims.

House Bill No. 216—Judiciary.

Respectfully,  
J. F. CONE, Secretary of Senate.

Helena, Montana, February 9, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following bills were this day introduced and referred to the Standing Committees:

S. B. No. 108, by Taylor: A Bill for an Act entitled: "An Act to repeal Chapter 159 of the Revised Codes of Montana of 1921 relating to the classification of taxable property." Referred to Committee on Taxation.

S. B. No. 109, by Cowan: A Bill for an Act entitled: "An Act making regulations regarding the conduct of the affairs of irrigation districts, under whatever law organized, and particularly regarding the disposition of debenture certificates, the right to vote at elections, and the manner of voting, and the pledging and administration of income derived from sources other than taxes and assessments." Referred to Committee on Irrigation.

S. B. No. 110, by Mears: A Bill for an Act Entitled: "An Act to amend Sections 4312 and 4327 of the Revised Codes of the State of Montana, 1921, relating to changing the boundaries of Chouteau and Judith Basin Counties." Referred to Committee on New Counties and Divisions.

S. B. No. 111, by Walker: A Bill for an Act entitled: "An Act to simplify and coordinate administration by changing the name of the Board of Railroad Commissioners of the State of Montana to 'Public Service Commission of Montana'; by keeping the name 'Public Service Commission'; by changing the name of the Montana Trade Commission to 'Public Service Commission of Montana'; and by changing the name of the Montana Irrigation Commission to 'Public Service Commission of Montana.'" Referred to Judiciary Committee.

S. B. No. 112, by Cowan: A Bill for an Act entitled: "An Act making regulations regarding irrigation districts, under whatever law they may be organized, and particularly relating to the qualifications and disqualifications of commissioners of irrigation districts, and the qualifications to vote at irrigation district elections." Referred to Committee on Irrigation and Water Rights.

S. B. No. 113, by Pauline, Gilboe, Buttelman, Smith: A Bill for An Act entitled: "An Act regulating public dances, dance halls, and other places of amusement, defining the powers of boards of county commissioners, city and town councils and city commissioners in relation thereto, governing the attendance of minors thereat, providing for the licensing and supervision thereof, and fixing penalties for the violation of this Act." Referred to Committee on Public Morals.

S. B. No. 114, by Clark: A Bill for an Act entitled: "An Act authorizing the state board of examiners, for and on behalf of the State of Montana, to sell treasury notes of the State of Montana, with interest coupons attached, in the sum of three million seven hundred fifty thousand dollars (\$3,750,000.00), for the purpose of paying and refunding outstand-

ing warrants chargeable against the general fund of the State of Montana, making provisions as to the terms and conditions thereof, and directing the disposition of the proceeds thereof; providing for the repayment of the same and the interest thereon, and creating, for the purpose of such repayment, out of any moneys accruing to the general fund of the State of Montana a special fund to be known as the 'Treasury Note Redemption Fund', and authorizing the issuance of such series of treasury notes, and making an appropriation for the payment of all expenses incident to the issuance and sale of said notes." Referred to Committee on Finance and Claims.

Respectfully,

J. F. CONE, Secretary of Senate.

### CONSIDERATION OF GENERAL ORDERS

Moved by Ruffcorn, duly seconded and carried, that House now resolve itself into Committee of the Whole for Consideration of General Orders and debate be limited to five minutes.

Mr. Hawley in the chair.

The Committee arose.

Mr. Speaker in the chair.

The Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole having had under consideration House Bill No. 260 and House Bill No. 161, respectfully report as follows: That

House Bill No. 260 do pass.

House Bill No. 161 be referred to Agriculture Committee.

HAWLEY, Chairman.

On motion of Hawley, report adopted.

The Printing Committee reported as follows:

Mr. Speaker: We, your Committee on Printing, beg leave to report the following bills correctly printed:

House Bills Nos. 286, 275, 303.

FRED W. ZEH, Chairman.

Moved by Bergstrom, duly seconded and carried, that House recess until 2:00 P. M.

### AFTERNOON SESSION

House resumed at 2:00 P. M.

Mr. Speaker in the chair.

### CONSIDERATION OF GENERAL ORDERS

Moved by Ruffcorn, duly seconded and carried, that House now resolve itself into Committee of the Whole for the Consideration of General Orders, and that debate be limited to five minutes.

Mr. Hawley in the chair.

The Committee arose.

Mr. Speaker in the chair.

The Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bills Nos. 168, 200, 238, respectfully report as follows: That

House Bill No. 168 do pass.

House Bill No. 200 do pass.

House Bill No. 238 be amended as follows:

Title. By striking out "Chapter 182" and inserting in lieu thereof the word "The".

Section 1. By striking out in line 1 "Chapter 182" and inserting in lieu thereof the word "the"; by striking out "Chapter 182" in lines 7 and 14, and inserting in lieu thereof the word "the".

Section 2. By inserting after figures "182" in line 4 the words "of Part 3 of Political Code of the"; by striking out in line 1 the comma after the number "2323" and the words "of Chapter 182" and inserting in lieu thereof the word "the".

Section 3. By inserting in line 4 after figures "182" the words "of Part 3 of Political Code of the"; by striking out in line 1, 4, 7 and 14, "Chapter 182" and inserting in lieu thereof the word "the".

Section 4. By striking out in lines 1 and 4 "Chapter 182" and inserting in lieu thereof the word "the".

and that as so amended House Bill No. 238 do pass.

HAWLEY, Chairman.

On motion of Hawley, report adopted.

### SPECIAL ORDER

#### CONSIDERATION OF GENERAL ORDERS WITH RESPECT TO HOUSE BILL NO. 203

Moved by Ruffcorn, duly seconded and carried, that House now resolve itself into Committee of the Whole for the Consideration of Special and General Orders set for 3:00 P. M.

Mr. White in the chair.

The Committee arose.

Mr. Speaker in the Chair.

The Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bill No. 203, respectfully report as follows: That

House Bill No. 203 be amended as follows:

Section 19. By inserting in line 7 after the word "days" the word "from".

Section 27. By striking out in line 10 the words "not more than two" and inserting in lieu thereof the word "all"; by striking out in line 10 the words "except the sheriff and county attorney who shall appoint all of their deputies."

Section 33. By striking out in line 17 the second word "or".

Section 39. By striking out in line 2 after the word shall the word "not".

Section 80. By striking out in line 8 the word "75" and inserting in lieu thereof the word "76".

Section 85. By striking out in line 3 the words "three thousand five hundred" and inserting in lieu thereof the words "four thousand".

Section 102. By striking out in line 9 the figure "6" and inserting in lieu thereof the figure "8".

And that as amended, House Bill No. 203 do pass.

WHITE, Chairman.

On motion of White, report adopted.

The Committee on Printing reported as follows:

Mr. Speaker: We, your Committee on Printing, beg leave to report the following bill correctly printed: House Bill No. 300.

FRED W. ZEH, Chairman.



Moved by Loble, duly seconded and carried, that House adjourn until 10:00 A. M., February 11, 1925.

R. C. BRICKER, Speaker.

Attest: H. J. FAUST, Chief Clerk.

### THIRTY-EIGHTH DAY

House of Representatives,  
Helena, Montana, February 11, 1925.

House met pursuant to adjournment at 10:00 A. M.

Mr. Speaker in the chair.

Prayer by the chaplain.

On roll call all present except: Lemmon, excused on account of sickness; and Fox, excused on account of death of his father.

The Committee on Journal reported as follows:

Mr. Speaker: We, your Committee on Journal, have this day examined the Journal for the 37th Legislative day and found the same correct.

PEARL I. SMITH, Chairman.

On motion of Smith, report adopted.

The Committee on Engrossing reported as follows:

Mr. Speaker: We, your Committee on Engrossing beg leave to report the following bills correctly engrossed:

Nos. 200, 260, and 220.

BERRYMAN, Chairman.

### COMMUNICATIONS AND PETITIONS

A communication from the Sergeant-at-Arms' office, regarding the disposition of money collected from members for cigarettes, etc., for patients at Veterans' Hospital No. 72 was received.

### NOTICES

Authors gave notice that they will on tomorrow or some subsequent day introduce bills as follows:

House Memorial to the Senate of the United States urging immediate enactment of pending legislation to provide adequate compensation for postal employees. By Graybill.

By Graybill, A Bill for an Act entitled: "An Act providing for counting judges and clerks of election in certain election precincts providing their qualifications and oath, providing for equipment and procedure in counting ballots, providing penalties for the violation of the provisions of this Act, and repealing all Acts or parts of Acts in conflict herewith."

By Robert Larson, A Bill for an Act entitled: "An Act to amend Section 103. Chapter 147 of the Revised Codes of Montana of 1921, relating to 'holding over and trespass' upon state lands; providing a penalty therefor, and the manner of collecting same."

By Joffray, A Bill for an Act entitled: "An Act appropriating money for the purchase of farm land to be used in connection with the operation of Montana School for the Deaf and Blind."

By Stoddard, A Bill for an Act entitled: "A Bill to amend Section 11,066 of the Revised Codes of Montana of 1921 defining a common nuisance as covered by Chapter 29."

By James T. Fitzgerald, Kerr, Beadle and Michael Mulholland, A Bill for an Act entitled: "An Act to amend Section 1999 and Section 2000 of Chapter 159 of the Political Code, Revised Codes of Montana,

1921, relating to classification of taxable property, and property for taxation, and the basis for imposition of taxes."

By Fletcher, A Bill for an Act entitled: "An Act to amend Section 4874 of the Revised Codes of Montana for 1921, as amended by Chapter 82 of the Laws of the Eighteenth Legislative Assembly of the State of Montana relating to the authority of the county commissioners to fix compensation and appointment of deputy county officers."

By Nelstead by request, A Bill for an Act entitled: "An Act to confer upon the Board of Railroad Commissioners of the State of Montana, power to award reparation for damages suffered for any violation of any of the provisions of Chapter 37 of the Laws of 1907, and Acts amendatory thereof and supplemental thereto; to prescribe procedure for such awards and making this remedy cumulative and additional to all existing remedies."

By Nelstead by request, A Bill for an Act entitled: "An Act to amend Section 3808 Revised Codes of Montana, 1921, by extending the time within which action may be brought to recover excess charges made by railroads on interstate traffic; and providing a period of time within which railroads may bring suit for recovery of their charges."

By Loble and Keeley, A Bill for an Act entitled: "An Act to repeal Section 4154 of the Revised Codes of Montana, 1921, relating to auctioneers keeping a book of sales for horses and mules."

By Committee on Dairies and Dairying, Fitzgarrald of Ravalli, Chairman, A Bill for an Act entitled: "An Act to amend Section 3282 of the Revised Codes of Montana of 1921, as amended by Section 11 of Chapter 35 of the Session Laws of the Eighteenth Legislative Assembly, relating to the licenses for producers of dairy products."

By Schoening, A Bill for an Act entitled: "An Act prohibiting certain trespasses upon railroad trains and railroad properties, and providing penalties therefor, and the jurisdiction of courts in the premises."

By Moss, Rice, Dellwo and Hoffman, A Bill for an Act entitled: "An Act to amend Sections 5194 and 5201 Revised Codes of Montana of 1921, relating to the amount of tax to be levied by cities and towns for municipal purpose."

By Committee on Fish and Game, Sales, Chairman, A Bill for an Act entitled: "An Act amending Sections 3652, 3653, 3655, 3656, 3659, 3661, 3662, 3664, 3665, 3666, 3677, 3681, 3682, 3683, 3685, 3694, 3696, 3697, 3698, 3699, 3700, 3701, 3704, 3706, 3714, 3717, 3718, 3725, 3727, 3733, 3735, 3741, 3777, 3778 of the Revised Codes of Montana of 1921, relating to the appointment, composition, powers, duties, liabilities and compensation of the State Fish and Game Commission and of the State Fish and Game Warden and his deputies, defining and regulating the protection and propagation of fish and game animals and birds regulating the taking of same; providing for searches and seizures and for the making of arrests by deputy State Fish and Game Wardens; regulating fish hatcheries and defining the powers and duties of the Superintendent of State Fishiers; defining terms used in This Act; regulating the classification, issuance and fees for fishing and hunting licenses; providing penalties for the unlawful taking of fish and game and for other violations of this Act; providing open and closed season for elk and deer in the several counties of the state and creating elk preserves; prohibiting the use of explosives and poison in taking fish and the dumping refuse in streams and lakes; regulating the possession and shipment of game and repealing Section 3702, 3720 and 3721 and all Acts and parts of Acts in conflict herewith."

By Fairgrieve, Burns, Berryman, Sales, Parkin, Davis, Nelstead, Green, Merritt, Larson, (Cascade), Hanson, Wuerthner, Lincoln, Cusick, Peterson, Hawley, White, A Bill for an Act entitled: "An Act to require the teaching of the Constitution of the United States in the public schools of the State of Montana."

By A. T. Larsen, Wm. Castles, Robert Larson, F. L. Graybill, Hedrick, McCarty, A Bill for an Act entitled: "An Act providing for the licensing of billiard and pool halls and soft drink parlors; authorizing the revocation of such licenses; providing penalties for the violation of this Act; repealing all Acts and parts of Acts in conflict herewith."

By McCarty, A Bill for an Act entitled: "An Act to amend Section 4774 of Chapter 26, Volume 1, Revised Codes of Montana of 1921, relating to duties of sheriff."

By Loble and Keeley, A Bill for an Act entitled: "An Act to repeal Section 11559, of the Revised Codes of Montana, 1921, relating to entering a horse in a race under a fictitious name."

### REPORTS OF STANDING COMMITTEES

The following reports were received from Standing Committees:

Mr. Speaker: We, your Committee on Education having had under consideration House Joint Memorial No. 4, introduced by Gordon, Akofer, Dellwo and Brandt, respectfully report as follows: That said House Joint Memorial No. 4 do pass.

EATON, Chairman.

On motion of Eaton, report adopted.

Mr. Speaker: We, your Committee on Banks and Banking, having had under consideration House Bill No. 125, introduced by Caplis, respectfully report as follows: That House Bill No. 125 do not pass.

JOHNSON, Chairman.

On motion of Johnson of Fergus, report adopted.

Mr. Speaker: We, your Committee on State Lands having had under consideration House Bill No. 245, introduced by Wuerthner, respectfully report as follows: That House Bill No. 245 do not pass.

ALBERT HOLTON, Chairman.

On motion of Davis, report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 258, introduced by Cusick, respectfully report as follows: That House Bill No. 258 be amended by striking out the words in line 15, Section 1, "to effect such consolidation" and insert after the word "sufficient" at the end of Section 1 the words "if a majority be more than fifty," and as so amended that the bill do pass.

DONALDSON, Chairman.

On motion of Donaldson, report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 288 introduced by Ainsworth, respectfully report as follows: That House Bill No. 288 do pass.

DONALDSON, Chairman.

On motion of Donaldson, report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration Senate Bill No. 25, introduced by Walker, respectfully report as follows: That Senate Bill No. 25 be concurred in.

DONALDSON, Chairman.

On motion of Donaldson, report adopted.

Mr. Speaker: We, your Committee on Development and Publicity, having had under consideration, House Bill No. 210, introduced by Committee on Development and Publicity, respectfully report as follows: That House Bill No. 210 do not pass.

GORDON, Chairman.

On motion of Gordon, report adopted.



Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 293, respectfully report as follows: That House Bill No. 293 do pass.

SALES, Chairman.

On motion of Sales, report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 15, introduced by Ainsworth, be amended as follows:

Amendments to House Bill No. 15:

1st. That said bill be amended by inserting at the end of Section 1, the following: "provided however, that the provision of this section shall not apply to any incorporated city or town wherein ordinances have been enacted for the regulation of the speed limit of motor vehicles."

2nd. That Section 2 thereof be amended by striking therefrom the following words, lines 6 and 7, "locking or," and by striking in same section in lines 7 and 8, the words, "and stopping the motor of said vehicle."

3rd. That Section 3 thereof be stricken therefrom.

4th. That Section 5 thereof be amended by substituting the words "five hundred" for the words "two hundred" in line 4.

5th. By substituting the words "two hundred and fifty" for the word "one hundred" in line 28 of Section 6, and the word "ninety" for the word "sixty" in line 29 thereof.

6th. By omitting the words "without warrant" in line 21 of Section 8.

7th. That said bill be further amended by adding thereto a new section to be known as Section 9 to read as follows:

"Section 9. Liability of owner of motor vehicle for operation of same by a minor. That in any action for the recovery of damages due to the negligent operation of a motor vehicle by a minor, the owner of said motor vehicle shall prima facie be deemed guilty of negligence in the operation of said motor vehicle to the same extent as that of the driver of said motor vehicle, and the operation of motor vehicle by a minor shall be deemed prima facie to be with the consent of the owner of said motor vehicle."

8th. That the title of said bill be amended by inserting in line 10 thereof, after the word "cases," the following: "and fixing the liability of the owner of a car for the negligence of the operation thereof by a minor."

And do pass as amended.

MOSS, Chairman.

On motion of Moss, report adopted.

Mr. Speaker: We, your Committee on Development and Publicity, having had under consideration House Joint Resolution No. 7, introduced by Ruffcorn, respectfully report as follows: That House Joint Resolution No. 7 do pass.

GORDON, Chairman.

On motion of Gordon, report adopted.

Mr. Speaker: We, your Committee on Federal Relations, having had under consideration Senate Joint Resolution No. 3, introduced by Scofield, respectfully report as follows: That Senate Joint Resolution No. 3 be concurred in.

W. E. KEELEY, Chairman.

On motion of Keeley, report adopted.

Mr. Speaker: We, your Committee on New Counties and Divisions, having had under consideration Senate Bill No. 41, introduced by Spencer, respectfully report as follows: That Senate Bill No. 41 do pass.

SCHOENING, Chairman.

On motion of Schoening, report adopted.

Mr. Speaker: We, your Committee on Public Safety, having had under consideration House Bill No. 261, introduced by Loble and Keeley, respectfully report as follows: That House Bill No. 261 do not pass.

HOLT, Chairman.

On motion of Holt, report adopted.

Mr. Speaker: We, your Committee on Public Safety, having had under consideration House Bill No. 189, introduced by Lincoln and Dellwo, respectfully report as follows: That House Bill No. 189 do pass.

HOLT, Chairman.

On motion of Holt, report adopted.

Mr. Speaker: We, your Committee on Public Safety, having had under consideration House Bill No. 144, introduced by Ainsworth, respectfully report as follows: That House Bill No. 144 be amended as follows:

Amend the title by inserting after the number "14" in line 1, the following: "of Part II." Amend Section 1 by inserting after the word "to" on line 11, the following "Chapter 14 of Part II of." Amend Section 1 by changing the period after the word "township" on line 24 to a semicolon, and by inserting after the semicolon the following: "Provided however, a defendant shall not be permitted to change the place of examination more than once." Amend Section 2 by inserting after the word "to" on line 25, the following: "Chapter 14 of Part II of."

As so amended recommend that bill do pass, and that as amended the bill be reprinted.

HOLT, Chairman.

On motion of Holt, report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 306, by Wold, respectfully report as follows: That House Bill No. 306 do pass.

WOLD, Chairman.

Moved by Smith of Beaverhead, duly seconded, that report be adopted.

Moved by Fairgrieve, as substitute motion, duly seconded, that House Bill No. 306 be referred to Compensation Committee.

Question arising on substitute motion, same carried.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 232, by Loble and Ruffcorn, respectfully report as follows: That House Bill No. 232 do not pass.

WOLD, Chairman.

Moved by Smith of Beaverhead, duly seconded, that report be adopted.

Moved by Loble, as substitute motion, duly seconded, that House Bill No. 232 be printed and placed on General Orders.

Question arising on substitute motion, same carried.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 237, by Fairgrieve, Budas and Higham, respectfully report as follows: That House Bill No. 237 be recommended favorably.

WOLD, Chairman.

On motion of Smith of Beaverhead, report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration Senate Bill No. 77, introduced by Committee on Finance and Claims, respectfully report as follows: That Senate Bill No. 77 be concurred in.

WOLD, Chairman.

On motion of Smith of Beaverhead, report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 190, introduced by Lincoln, Patterson, Strange

and Cusick, respectfully report as follows: That House Bill No. 190 be amended as follows, to-wit:

That in line 20 thereof, the words "three years" be stricken from said bill and there be substituted in lieu thereof, the words "four years."

That said bill be further amended in Section 1 thereof, by striking out on page 2 thereof, the following words, commencing on line 4: "provided the assistant Highway Commissioner first appointed after taking effect of this Act, shall hold office for the term of two years only, but all other commissioners and assistant commissioners appointed hereunder, shall hold office for the term of three years," and inserting in lieu thereof, the following: "Provided however, that said assistant Highway Commissioners herein provided for, shall not be appointed until such time as a vacancy exists in said office of the Assistant Highway Commissioners."

And as so amended that said bill do pass.

MOSS, Chairman.

On motion of Moss, reported adopted.

Mr. Speaker: We, the majority of your Committee on Highways, having had under consideration House Bill No. 331, introduced by the Committee on Highways, respectfully report as follows: That House Bill No. 331 do pass.

MOSS,  
NELSON,  
M. D. STEEVES,  
P. A. PETERSON,  
JULIUS WUERTHNER,  
AINSWORTH,  
BERGSTROM,  
WALKER,  
GREEN,  
MORRIS,  
JOFFRAY.  
PATTERSON,  
LOBLE.

Mr. Speaker: We, the minority of your Committee on Highways, having had under consideration House Bill No. 331, introduced by the Committee on Highways, respectfully report as follows: That House Bill No. 331 do not pass.

BUDAS,  
STRANGE.

Moved by Moss, duly seconded, that majority report be adopted.

Moved by Budas, as substitute motion, duly seconded, that minority report be adopted.

Question arising on substitute motion, same failed.

Question arising on original motion, same carried.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 78, introduced by Beadle, Mulholland and Fitzgerald of Silver Bow, respectfully report as follows: That House Bill No. 78 be amended as follows:

By amending the title as follows: After the figures "9256" add the word and figures "and 9257" and by striking the words "writs of attachment and when attachments may issue" therefrom, and inserting in lieu thereof "when writs of attachment may issue and affidavits for attachments."

By amending the bill as follows:

By striking from Section 1, Sub-section 1, and inserting in lieu thereof the following:

1. "In an action upon a contract, express or implied, for the payment of money, where the contract is not secured by any mortgage or lien upon



real or personal property, or any pledge of personal property, or, if originally secured, such security has, without any act of the plaintiff, or the person to whom the security was given, become valueless."

By striking therefrom all of sub-section 2 and inserting in lieu thereof sub-section 3 and sub-section 2, and by striking the words "in consequence of negligence, or fraud, or other wrongful act" in line 21, therefrom. That said bill be further amended by adding a new section thereto to be known as Section 3, and reading as follows:

That Section 9257 of the Revised Codes of Montana of 1921 be amended as follows:

"9257. Addivadit—What to Contain. The clerk of the court must issue the writ of attachment, upon receiving an affidavit by or on behalf of the plaintiff showing:

1. That such defendant is indebted to the plaintiff (specifying the amount of such indebtedness over and above all legal counterclaim) upon a contract, express or implied, for the payment of money, or for damages, rising from an injury to personal property in this State, and that the payment of the same has not been secured by any mortgage or lien upon real or personal property or any pledge of personal property, or, if originally so secured, that such security has, without any act of the plaintiff, or the person to whom the security was given, become valueless; and,

2. That the attachment is not sought, and the action is not prosecuted, to hinder, delay, or defraud any creditor of the defendant.

And as so amended, bill do pass.

BURNS, Chairman.

On motion of Burns, report adopted.

Mr. Speaker: We, the majority of your Committee on Highways, having had under consideration House Bill No. 330, introduced by Committee on Highways, respectfully report as follows: That said House Bill No. 330 do pass.

MOSS, Chairman;  
B E. NELSON,  
M. D. STEEVES,  
P. A. PETERSON,  
JULIUS WUERTHNER,  
AINSWORTH,  
BERGSTROM,  
WALKER,  
GREEN,  
MORRIS,  
JOFFRAY.  
PATTERSON.

Mr. Speaker: We, the minority of your Committee on Highways, having had under consideration House Bill No. 330, introduced by Committee on Highways, respectfully report as follows: That said House Bill No. 330 do not pass.

BUDAS,  
STRANGE.

Moved by Moss, duly seconded, that majority report be adopted.

Moved by Budas, as substitute motion, duly seconded, that minority report be adopted.

Question arising on substitute motion, same failed.

Question arising on original motion, same carried.

Mr. Speaker: We, your Committee on Corporations Other Than Municipal, having had under consideration Senate Bill No. 17, introduced by Church, respectfully report as follows: That Senate Bill No. 17 do pass.

NELSTEAD, Chairman.

On motion of Nelstead, report adopted.

Mr. Speaker: We, your Committee on Corporations Other Than Municipal, having had under consideration Senate Bill No. 23, introduced by Church, respectfully report as follows: That Senate Bill No. 23 do pass.

NELSTEAD, Chairman.

On motion of Nelstead, report adopted.

Mr. Speaker: We, your Committee on Public Safety, having had under consideration House Bill No. 90, introduced by Committee on Public Safety, respectfully report as follows: That House Bill No. 90 do not pass.

We, your Committee on Public Safety recommend that Substitute House Bill No. 90, introduced by Committee on Public Safety, respectfully report as follows: That Substitute House Bill No. 90 do pass.

HOLT, Chairman.

On motion of Holt, report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 197, respectfully report as follows: That House Bill No. 197

1. That Section 3 of said bill be amended by striking out "one mill" and inserting in lieu thereof, "10-12 of a mill."

2. That said bill be further amended by striking out in Section 4 thereof in line 2, the following: "One mill" and inserting in lieu thereof, "10-12 of a mill" and that as so amended, said bill do pass.

TROY, Chairman.

On motion of Troy, report adopted.

Mr. Speaker: We, your Committee on Insurance, having had under consideration Senate Bill No. 52, introduced by Church, respectfully report as follows: That Senate Bill No. 52 do pass.

FLYNN, Chairman.

On motion of Peat, report adopted.

Mr. Speaker: We, your Committee on Railways and Transportation, having had under consideration House Bill No. 249, introduced by Burns and Castles, respectfully report as follows: That House Bill No. 249 do not pass.

HAWLEY, Chairman.

On motion of Hawley, report adopted.

Mr. Speaker: We, your committee on Public Morals, Charities and Reform, having had under consideration House Bill No. 201, by McAfee, respectfully report as follows: That House Bill No. 201 be amended as follows:

That by adding after the word "Maintain" in line 12 of Section 1, the words "provided further, that the provisions of this section shall not apply to cities having a population of one thousand or more."

And recommend that said bill as amended do pass.

E. O. HEDRICK, Chairman.

On motion of Hedrick, report adopted.

## INTRODUCTION OF BILLS AND MEMORIALS

The following bills were introduced, read first and second times by title only, and referred to committees as follows:

Senate Bill No. 70, introduced by Committee on Banks and Banking: "An Act to amend Section 6032 of the Revised Codes of Montana of 1921 relating to change of place of business and number of directors of banks." Referred to Committee on Banks and Banking.

House Bill No. 338, introduced by Morris and Donaldson: A Bill for an Act entitled: "An Act to authorize Boards of County Commissioners to grant to public schools any property acquired by the county which may be useful or available for school purposes." Referred to Committee on Townships and Counties.

House Bill No. 339, introduced by Morris and Donaldson: A Bill for an Act entitled: "An Act to authorize boards of trustees of county and district high schools to acquire property for dormitory or gymnasium." Referred to Committee on Townships and Counties.

House Bill No. 340, introduced by Committee on Dairying: A Bill for an Act entitled: "An Act prohibiting the purchase for or use in State institutions of oleomargarine or other substitutes for butter and providing penalties for the violation of this Act." Referred to Committee on Dairying.

House Bill No. 341, introduced by Committee on Dairying: A Bill for an Act entitled: "An Act regulating the advertising of oleomargarine and providing penalties for the violation of this Act." Referred to Committee on Dairying.

House Bill No. 342, introduced by Committee on Dairying: A Bill for an Act entitled: "A Bill for the Compulsory pasteurization of milk and cream used in the manufacture of butter and ice cream." Referred to Committee on Dairying.

House Bill No. 343, introduced by Committee on Dairying. A Bill for an Act entitled: "A Bill for an Act requiring the proper cleansing and return to owners of containers of milk, cream and ice cream, and providing penalties for the violation of this Act." Referred to Committee on Dairying.

House Bill No. 344, introduced by Committee on Dairying: A Bill for an Act entitled: "An Act requiring the licensing of dealers in oleomargarine or other substitutes for dairy products. Fixing the fees for same and providing penalties for the violation of this Act." Referred to Committee on Dairying.

House Bill No. 345, introduced by Fairgrieve, Keeley, Akofer, Campbell, Besancon: A Bill for an Act entitled: "An Act to amend Section 11085 of the Revised Codes of Montana of 1921, and providing for appointment, oath, bond, enforcement and removal of special officers for the purpose of enforcing the laws relating to intoxicating liquors." Referred to Committee on Public Morals, Charities and Reform.

House Bill No. 346, introduced by Nagle and Burns: A Bill for an Act entitled: "An Act to repeal Section 10,589 of the Revised Codes of Montana of 1921, relating to the manner of proving the execution of a writing." Referred to Committee on Judiciary.

House Bill No. 347, introduced by Lincoln, Plank, Ainsworth, Dellwo, Parkin, Moulton and Cusick: A Bill for an Act entitled: "An Act providing a commission form of government for counties, providing for the election and appointment of officers therein, defining their powers and duties, and providing for their compensation." Referred to Committee on Townships and Counties.

House Bill No. 348, introduced by McAfee: A Bill for an Act entitled: "An Act prescribing qualifications for drivers of conveyances for the transportation of pupils, providing for bonds for such drivers; requiring school busses or conveyances to come to a stop before crossing railroad or electric car tracks and providing a penalty for violation of the provisions of the Act." Referred to Committee on Public Safety.

House Bill No. 349, introduced by James T. Fitzgerald, Kerr Beadle, Michael Mulholland: A Bill for an Act entitled: "An Act to repeal Chapter 160 of the Eighteenth Legislative Assembly of Montana, Laws of Montana, 1923, Sections 1 to 133, inclusive thereof, the same being "An Act to authorize and provide for the consolidation and merging of the corporate existence and government of the County of Silver Bow and all cities and towns therein into one municipal corporation and government under the corporate name 'City and County of Butte' defining the powers thereof and providing a commission-management plan of government therefor." Referred to Committee on Townships and Counties.

House Bill No. 350, introduced by Loble and Keeley: A Bill for an Act entitled: "An Act to repeal Section 4154 of the Revised Codes of Montana,



1921, relating to auctioneers keeping a book of sales for horses and mules." Referred to Committee on Judiciary.

House Joint Resolution No. 8, introduced by McAfee: A Resolution "providing for and allowing Wilsie M. Cramer to sue the State of Montana for certain moneys claimed to be due the said Wilsie M. Cramer." Referred to Committee on Appropriations.

### MOTIONS AND RESOLUTIONS

Moved by Troy, duly seconded and carried, that House Bill No. 260 be placed at the head of the list of Third Reading.

Moved by A. T. Larsen, duly seconded, that House Bill No. 2 be made Special Order of Business for Friday at 2:30 instead of Thursday at 2:30.

Question arising on motion, same failed.

Moved by Caplis, duly seconded and carried, that House reconsider its action on the report of the Committee on Banks and Banking on House Bill No. 125.

Moved by Flachsenhar:

Mr. Speaker: I move that House Rule Number 28, relative to reconsideration, be suspended for this date, Wednesday, February 11, 1925.

FLACHSENHAR.

Mr. Speaker referred the above motion to the Committee on Rules, Joint Rules and Order of Business.

Moved by Caplis, duly seconded, that House Bill No. 125 be printed and placed on General Orders.

Question arising on motion, same failed.

The following resolution was presented:

Whereas, It has been brought to the attention of the members of this House that one of the representatives of Deer Lodge County, the Honorable Charles A. Lemmon, submitted to an operation yesterday for appendicitis; and

Whereas, The above mentioned member has endeared himself to the membership of this House by his kindly and courteous manner; his ever-present sense of fairness and justice, and his splendid personality; therefore be it

Resolved, That we convey to our sick brother, in this manner, the love and esteem in which he is held and request that flowers be sent him as a slight token of our appreciation of his admirable qualities;

Resolved Further, That a copy of these resolutions signed by the Speaker of the House, be given him at the proper time.

On motion of Hedrick, resolution adopted.

At the request of Peat, there being no objections, House reverted to Order of Business No. 2:

### NOTICES

Authors gave notice that they will on tomorrow or some subsequent day introduce bills as follows:

By Committee on Insurance, by Peat, vice chairman: A Bill for an Act entitled: "An Act prescribing the powers and duties of the State Fire Marshal and prescribing penalties for the violation of this Act."

By Campbell and Peat: A Bill for an Act entitled: "An Act requiring the State Board of Equalization to make and keep a record of its decisions and actions, relating to the assessment of property for taxation."

By Rupert: A Bill for an Act entitled: "An Act to amend Section 4482 of the Revised Codes of Montana of 1921, relating duty of Board of County Commissioners to contract for county printing."

By Strange and Fitzgarrald of Ravalli: A Bill for an Act entitled: "An Act to amend Section 10481 of the Revised Codes of Montana of 1921, relating to the amount of allowance of mothers' pension."

By Strange and Fitzgarrald of Ravalli: A Bill for an Act entitled: "An Act to amend Section 1749 of the Revised Codes of Montana of 1921 relating to the moving of heavy machinery or loads along highways or over bridges."

By Peterson: A Bill for an Act entitled: "An Act to change the boundary line between the counties of Glacier and Pondera; taking from said county of Pondera certain territory and adding the same to the said County of Glacier; providing for the appointment of commissioners to adjust indebtedness; providing for the transfer of school funds and delinquent taxes; providing for the transcribing and transfer of records and the transfer of actions pending in court; and providing that township, school and other officers within the territory so transferred shall hold their offices for the balance of their terms."

Speaker Pro Tem in the chair.

#### CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

Moved by Ruffcorn, duly seconded and carried, that messages from the Senate be considered read at length and the Journal so show.

The following messages were received from the Senate:

Helena, Montana, February 10, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that H. B. No. 49, by Duncan, was this day read third time and concurred in as amended, title agreed to, and is herewith returned to the House for concurrence in Senate amendments.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 10, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that H. B. No. 106, by Flynn and White, was this day read third time and concurred in as amended, title agreed to, and is herewith returned to the House for concurrence in Senate amendment.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 10, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that H. B. No. 25, by Anderson, was this day read third time and not concurred in, and same is herewith returned to the House.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 10, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that H. B. No. 126, by Akofer, was this day read third time and concurred in as amended, title agreed to, and is herewith returned to the House for concurrence in Senate amendment.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 10, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that H. B. No. 26, by Wuerthner, was this day read third time and concurred in, title agreed to, and is herewith returned to the House.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 10, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Bill No. 70, by Committee on Banks and Banking, was this day read third time and passed, title agreed to, and is herewith transmitted to the House for concurrence.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 10, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that H. B. No. 14, by Nagle, was this day read third time and concurred in as amended, title agreed to, and is herewith returned to the House for concurrence in Senate amendments.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 10, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day referred to the Standing Committees as follows:

H. B. No. 140—Stock Growing and Grazing.

H. B. No. 151—Judiciary.

H. B. No. 174—Finance and Claims.

H. B. No. 192—Fish and Game.

H. B. No. 224—Banks and Banking.

H. B. No. 226—Banks and Banking.

H. B. No. 227—Banks and Banking.

H. B. No. 228—Banks and Banking.

H. B. No. 243—Banks and Banking.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana February 10, 1925

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Standing Committees have this day reported as follows:

Committee on Privileges and Elections report that H. B. No. 105 be concurred in; that H. B. No. 108 be concurred in.

Committee on Stockgrowing and Grazing report that H. B. No. 36 be concurred in.

Committee on Public Morals report that H. B. No. 6 be concurred in.

Committee on Taxation report that H. B. No. 160 be concurred in.

Committee on Education report that H. B. No. 214 be concurred in.

Report adopted.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana February 10, 1925

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following motion was this day made by Hazelbaker:

I move that Senate Rule No. 50, relating to the transmission of bills by the House to the Senate and the Senate to the House be amended by adding a Section to be known as Section 2, to read:

Section 2. No bills other than substitute bills for bills then pending shall be introduced after the forty-third Legislative day, except upon a two-thirds majority vote of Senate.

Referred to Committee on Rules.

Respectfully,

J. F. CONE, Secretary of Senate.



Helena, Montana February 10, 1925

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee of the Whole, having had under consideration Business on General File, report as follows:

That the enacting clause be stricken from S. B. No. 57.

That S. B. No. 82 do pass.

That S. B. No. 45 be amended, by adding another Section to be known as Section 3, to read as follows: "Section 3. All Acts and parts of Acts in conflict herewith are hereby repealed."  
and as so amended it do pass.

That consideration of H. B. No. 66 be passed for the day.

That H. B. No. 110 be concurred in.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana February 10, 1925

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Notices were this day given:

By Muffy, Buttelman, Hazelbaker: "An Act to provide for the letting of contracts for public printing, fixing the prices therefor, providing for an undertaking for the faithful performance of such contracts, providing a penalty for the violation of this Act, and repealing Section 4482 of the Revised Codes of Montana of 1921."

By Smith: "An Act providing the fees to be paid by building and loan associations for examination by the State Examiner.

By Rhoads: "An Act for the submission to the qualified electors of the State of Montana of an amendment to Sections 2, 4, 5, and 6 of Article V and Article VI of the Constitution of the State of Montana by striking therefrom all of Sections 2, 3, 4, 5 and 6, relating to the number, election and certification of Senators and Members of the House of Representatives and the Sessions of the Legislative Assembly."

By Adams, Oliver, Gilboe: "An Act consolidating the Clerkship of the State Board of Examiners with the Clerkship of the Consolidated Boards and requiring the Clerk of the State Board of Examiners to perform all of the duties of the Clerk of the Consolidated Boards pertaining to the Board of Pardons, Board of Commissioners for the Insane, and the Board of State Prison Commissioners, and repealing Section 123 of the Revised Codes of Montana of 1921."

By McQuitty: "An Act relating to the submission at elections by counties, cities, towns and school districts, of propositions concerning the creating or incurring of indebtedness, increasing existing indebtedness, borrowing money, issuing bonds and levying taxes."

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana February 10, 1925

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following bills were this day introduced and referred to the Standing Committees:

Senate Substitute for S. B. No. 54, by Committee on Stockgrowing and Grazing: A Bill for an Act entitled: "An Act making it unlawful for any owner, or person having the management or control, of a stallion, ridgeling, unaltered male mule, or jackass, over the age of one year, to permit or suffer it to run at large on the open range; defining open range; declaring such animal so running at large a public nuisance; prescribing penalties for violations of this Act; providing that such owner or person having management or control shall be liable for all injuries caused by such running at large; providing for the proceedings and notices necessary to be taken and given for the castration, and disposal of such animals; and re-

pealing Sections 3396, 3397, 3398, 3399 and 3400 of the Revised Codes of Montana of 1921." Referred to Committee on Printing.

S. B. No. 115, by Pomeroy: A Bill for an Act entitled: "An Act relating to irrigation districts and amending Sections 7214 of the Revised Codes of Montana, 1921, as amended by Section 9 of Chapter 157 of the Session Laws of 1923." Referred to Committee on Irrigation and Water Rights.

S. B. No. 116, by Pomeroy, McCormick, McCabe, Watson and Buttelman: A Bill for an Act entitled: "An Act amending Section 8812 of the Revised Codes of Montana of 1921 relating to judicial districts, and abolishing the Twelfth judicial district and attaching the county of Chouteau to the Eighth judicial district, which district shall have two district judges." Referred to Committee on Judicial Districts.

S. B. No. 117, by Mears, Staggs and Gilboe : A Bill for an Act entitled: "An Act to amend Sections 351 and 352 of the Revised Codes of Montana of 1921 as amended by Sections 4 and 5 of chapter 40 of the Session Laws of the Eighteenth Legislative Assembly of Montana of 1923 relating to tax levies upon lands growing crops which are covered by state hail insurance." Referred to Committee on Agriculture.

S. B. No. 118, by Taylor: A Bill for an Act entitled: "An Act to repeal Sections 10737, 10738 and 10739 relating to sedition, of the Revised Codes of the State of Montana." Referred to Committee on Judiciary.

S. B. No. 119, by Pauline: A Bill for an Act entitled: "An Act to require the State Fish and Game Commission to make bi-monthly reports of all receipts and disbursements to the Governor." Referred to Committee on Fish and Game.

S. B. No. 120, by Taylor: A Bill for an Act entitled: "An Act to repeal Sections 10745, and 10746 of the Revised Codes of Montana of 1921, relating to exhibiting red flag or emblem." Referred to Committee on Counties and Towns.

S. B. No. 121, by Taylor: A Bill for an Act entitled: "An Act to repeal Sections 10740, 10741 and 10742, relating to criminal syndicalism and sabotage, and Sections 10743 and 10744, relating to unlawful assembling, of the Revised Codes of the State of Montana of 1921." Referred to Committee on Counties and Towns.

S. B. No. 122, by Taylor: A Bill for an Act entitled: "An Act creating a laborer's lien on the products of his work or labor, for such work and labor; and providing for the manner of the enforcement of such laborer's lien." Referred to Committee on Labor and Capital.

Respectfully,

J. F. CONE, Secretary of Senate.

### THIRD READING OF HOUSE BILLS

House Bill No. 260 introduced by White et. al., having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Akofer, Anderson, Andrus, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Caplis, Castles, Clarke, Cusick, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgerald, Flachsenhar, Fletcher, Gordon, Graybill, Green, Hanson, Hardcastle, Harris, Hedrick, Higham, Holt, Johnson, (Valley), Keeley, Kennedy, Larsen, (Sheridan), Leavens, Lincoln, Loble, Masters, Merritt, Miller, Moriarty, Moss, Moulton, Murphy, McAfee, McCarty, McGrath, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Ruffcorn, Rupert, Ryder, Sales, Shields, Smith, (Lewis and Clark), Smith, (Beaverhead), Steeves, Strange, Throssel, Tinsley, Troy, Waite, Walker, Walton, White, Wuerthner, Zeh. Total—73.

Noes: Flynn, Hawley, Hoffman, Meagher, Mulholland. Total—5.

Absent and not voting: Ainsworth, Beadle, Campbell, Davis, Fitzgerald, Fox, Holton, Joffray, Johnson, (Fergus), Kelly, Kinville, Larson,

(Cascade), Larson, (Sheridan), Lemmon, Morris, Nagle, Plumer, Reed, Rice, Schoening, Stoddard, Wold, Mr. Speaker. Total—23.

House Bill No. 200, by Hoffman, having been read three several times title and history agreed to, was passed by the following vote:

Ayes: Akofer, Anderson, Andrus, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Caplis, Castles, Cusick, Dellwo, Doran, Duncan, Fitzgerald, Flachsenhar, Gordon, Green, Hanson, Hardcastle, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Joffray, Johnson, (Fergus), Johnson, (Valley), Keeley, Kennedy, Larsen, (Sheridan), Larson, (Sheridan), Lincoln, Loble, Masters, Meagher, Merritt, Miller, Moriarity, Morris, Moss, Moulton, Mulholland, Murphy, McAfee, McGrath, Nelson, Nelstead, Parkin, Patterson, Peterson, Plank, Plumer, Ruffcorn, Rupert, Ryder, Sales, Schoening, Shields, Smith, (Lewis and Clark), Steeves, Strange, Throssel, Tinsley, Troy, Waite, Walker, Walton, White, Wuerthner, Zeh. Total—74.

Noes: Fairgrieve, Flynn. Total—2.

Absent and not voting: Ainsworth, Beadle, Campbell, Clarke, Davis, Donaldson, Eaton, Fitzgarrald, Fletcher, Fox, Graybill, Kelly, Kinville, Larson, (Cascade), Leavens, Lemmon, McCarty, Nagle, Peat, Reed, Rice, Smith, (Beaverhead), Stoddard, Wold, Mr. Speaker. Total—25.

House Bill No. 220 by Gordon, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Anderson, Andrus, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Caplis, Castles, Clarke, Cusick, Dellwo, Doran, Duncan, Eaton, Fairgrieve, Fitzgerald, Flachsenhar, Fletcher, Flynn, Gordon, Graybill, Green, Hardcastle, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Johnson, (Valley), Keeley, Kelly, Kennedy, Larson, (Cascade), Larsen, (Sheridan), Larson, (Sheridan), Lincoln, Loble, Masters, Meagher, Merritt, Miller, Moriarty, Morris, Moss, Moulton, Mulholland, Murphy, McAfee, McCarty, McGrath, Nagle, Nelstead, Parkin, Patterson, Peterson, Plank, Plumer, Rice, Ruffcorn, Rupert, Ryder, Sales, Schoening, Shields, Smith, (Lewis and Clark), Steeves, Strange, Throssel, Tinsley, Walker, Walton, White, Wuerthner, Zeh. Total—79.

Noes: None.

Absent and not voting: Akofer, Beadle, Campbell, Davis, Donaldson, Fitzgarrald, Fox, Hanson, Joffray, Johnson, (Fergus), Kinville, Leavens, Lemmon, Nelson, Peat, Reed, Smith, (Beaverhead), Stoddard, Troy, Waite, Wold, Mr. Speaker. Total—22.

### CONSIDERATION OF GENERAL ORDERS

Moved by Ruffcorn, duly seconded and carried, that House resolve itself into Committee of the Whole for Consideration of General Orders and debate be limited to five minutes.

Mr. Harris in the Chair.

The Committee arose.

Speaker Pro Tem in the Chair.

Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole having had under consideration House Bills Nos. 247, 256, 114, House Memorial No. 3, Senate Bill No. 30, respectfully report as follows: That

House Bill No. 247 be amended as follows:

Title: By striking the number "6039" and inserting in lieu thereof number "6036."

Section 1. By striking out in line 1 the number "6039" and inserting the number "6036" in lieu thereof, and inserting at the beginning of line 4 the following, "Section 6036". By inserting after the word "shares" in line seven the words "while holding such shares and for six months after any transfer of same"; by inserting in line 17 after the word States "and



elsewhere"; by inserting in line 18 after the word all "Suits or"; By inserting in line 20 after the word bank, "Whether such suit or action is pending within the State of Montana or in some other state of the United States".

And when so amended, that House Bill No. 247 do pass.

House Bill No. 256 be amended as follows:

Section 2. By inserting "All acts and parts of acts in conflict herewith are herewith repealed."

Section 1. By adding in line 3 the word "Section."

Section 2. By striking out in line one the number 2, and inserting in lieu thereof the number "3".

And when so amended, that House Bill No. 256 do pass.

House Bill No. 114. That the Enacting Clause be stricken out.

House Memorial No. 3 be amended as follows:

By inserting between words "by" and "the" in line 8 the following "the House of Representatives of" and by inserting between words "of" and "this" in line 9 "the House of Representatives of."

And when so amended, that House Memorial No. 3 do pass.

House Bill No. 30 be not concurred in.

HARRIS, Chairman.

On motion of Harris, report adopted.

Moved by Keeley, duly seconded and carried, that House recess until 2:00 P. M.

#### AFTERNOON SESSION

House resumed at 2:00 P. M.

Mr. Speaker in the Chair.

The Enrolling Committee reported as follows:

Mr. Speaker: We, your Committee on Enrolling beg leave to report the following bills correctly enrolled:

House Bill No. 26.

WAITE, Vice-Chairman.

The Printing Committee reported as follows:

Mr. Speaker: We, your Committee on Printing, beg leave to report the following bills correctly printed:

House Bills 272, 148, 158, 184, 269, 316, 297.

FRED W. ZEH, Chairman.

The Speaker gave notice that he was about to sign House Bill No. 26, and thereupon signed the same.

At the request of McCarty, there being no objections, House reverted to Order of Business No. 6.

#### MOTIONS AND RESOLUTIONS

The following resolution was presented:

WHEREAS, God in His Almighty Wisdom has seen fit to call to His immortal home the father of Thomas Fox, a member of the House of Representatives of the Nineteenth Legislative Assembly, State of Montana: and

WHEREAS, in his passing a sorrow has been cast upon his family and friends, and this Assembly:

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives do extend to Thomas Fox and his family the sincere sympathy of this body, and a copy of this Resolution be forwarded to the bereaved.

McCARTY.

On motion of McCarty, resolution adopted.

At the request of Graybill, there being no objections, House reverted to Order of Business No. 5.

### INTRODUCTION OF BILLS AND MEMORIALS

With unanimous consent of House, Graybill introduced the two following bills without previous notice: Same were read first and second times by title only and referred to Committees as follows:

House Bill No. 351 introduced by Graybill, A Bill for an Act entitled: "An Act to amend Section 391 of the Revised Codes of Montana of 1921, providing for an increase in compensation of members of election boards from forty cents per hour to fifty cents per hour." Referred to Committee on Labor.

House Bill No. 352, introduced by Graybill, A Bill for an Act entitled: "An Act to amend Section 2317 of the Revised Codes of Montana, 1921, by providing for exemption from license tax of the first 10,000 tons of coal mined or produced from any mine in this state. Referred to Committee on Revenue and Taxation.

Mr. Speaker asked that the Journal show that Mr. Donaldson was excused after 3 o'clock.

The following bills were introduced, read first and second times by title only and referred to Committees as follows:

Senate Bill No. 45, by McQuitty: "An Act to amend Section 1215 Revised Codes of Montana, 1921, as amended by Chapter 14, Session Laws, 1923, relating to reports to County Superintendents of Schools of Valuations of School Districts." Referred to Townships and Counties.

Senate Bill No. 82, introduced by Committee on Insurance: "An Act to amend Section 6280 of the Revised Codes of the State of Montana of 1921, relating to contingency reserves of life insurance companies." Referred to Insurance.

At the request of Nelstead, there being no objections, House reverted to Order of Business No. 4.

### REPORTS OF STANDING COMMITTEES

The following reports were received from Standing Committees:

Mr. Speaker: We, your Committee on Rules having had under consideration motion by Flachsenhar, respectfully report and recommend as follows: That said motion do pass.

HOLT,  
BRICKER,  
HANSON,  
WOLD.

Moved by Wold, duly seconded, that report be adopted.

Moved by Loble, as substitute motion, duly seconded, that motion be laid upon the table.

Question arising on substitute motion, same failed.

Question arising on original motion, same carried.

Mr. Speaker: We, your Committee on Education having had under consideration House Bill No. 267, introduced by Smith of Lewis and Clark, respectfully report as follows: That House Bill No. 267 do pass.

EATON, Chairman.

On motion of Eaton, report adopted.

Mr. Speaker: We, your Committee on Ways and Means having had under consideration House Bill No. 159 introduced by Duncan, respectfully report as follows: That House Bill No. 159 do pass.

TROY, Chairman.

On motion of Troy, report adopted.

Mr. Speaker: We, your Committee on Ways and Means having had under consideration House Bill No. 294, introduced by Hedrick, Walker, Moulton and Johnson, respectfully report as follows: That House Bill No. 294 do pass.

TROY, Chairman.

On motion of Troy, report adopted.

Mr. Speaker: We, your Committee on Ways and Means having had under consideration House Bill No. 287 introduced by Tinsley and Pearl I. Smith, respectfully report as follows: That House Bill No. 287 do pass.

TROY, Chairman.

On motion of Troy, report adopted.

Mr. Speaker: We, your Committee on Ways and Means having had under consideration House Bill No. 325 introduced by Loble and Keeley, respectfully report as follows: That House Bill No. 325 do not pass.

TROY, Chairman.

On motion of Troy, report adopted.

Mr. Speaker: We, your Committee on Ways and Means having had under consideration House Bill No. 138, introduced by Kelly, respectfully report as follows: That House Bill No. 138 be referred to the Committee on Highways.

TROY, Chairman.

On motion of Troy, report adopted.

Mr. Speaker: We, your Committee on Ways and Means having had under consideration House Bill No. 58, introduced by Anderson, respectfully report as follows: That House Bill No. 58 be amended as follows:

1. That Section 1, line 3, the words "State Purchasing Agent" be changed to read "The Clerk of the Board of Examiners."

2. That in line 4, the words "Clerk of State Board of Examiners" be changed to "State Purchasing Agent." and that when so amended the bill do pass.

TROY, Chairman.

On motion of Troy, report adopted.

Mr. Speaker: We, your Committee on Ways and Means having had under consideration House Bill No. 236, introduced by Rice, respectfully report as follows: That House Bill No. 236 be amended as follows:

1. That the title be amended by inserting after the word "entitled" in line 1, the words: "An Act concerning the powers of the Board of County Commissioners with regard to levying and collection of poll taxes known as special road tax and special poor tax; prescribing method of levying and collecting the same and the liability of employers in connection therewith; amending Section 1617 Revised Codes of Montana, 1921, relating to general road tax and special road tax; and repealing \* \* \* \* \* of the Revised Codes of Montana, 1921, relating to levy and collection of special poll taxes, and repealing all other acts and parts of acts in conflict herewith.

2. That the numbers of each section be increased by one, and that a new section, to be known as Section 1, be inserted immediately following the enacting clause, to read as follows:

Section 1. That Section 1617, of the Revised Codes of Montana, 1921, be, and the same is hereby amended to read as follows:

"For the purpose of raising revenue for the construction, maintenance, and improvement of public highways, the board of county commissioners of each county in this state shall annually levy and cause to be collected a general tax upon the taxable property in the county of not less than



two mills and not more than five mills on the dollar, which shall be payable to the county treasurer with other general taxes. All moneys collected under the provisions of this act shall belong to the general road fund of the county."

And as so amended the Bill do pass.

TROY, Chairman.

On motion of Troy, report adopted.

Mr. Speaker: We, your Committee on Judiciary having had under consideration, House Bill No. 163, introduced by Strange and Fitzgarrald, respectfully report as follows: That House Bill No. 163 do not pass but that Substitute House Bill No. 163 do pass.

BURNS, Chairman.

On motion of Burns, report adopted.

Mr. Speaker: We, your Committee on Judiciary having had under consideration House Bill No. 52, introduced by Duncan, An Act to amend Section 5039 of the Revised Codes of Montana of 1921, relating to the powers of City Councils, by inserting in paragraph No. 45 thereof, after the word "place" in the first line, the words "within or", and by adding a new paragraph thereto, to be known as paragraph "83", giving the city and town councils power to declare and determine what vegetation, within the city or town, shall be noxious weeds, and to provide the manner in which they shall be exterminated, and for levying the cost of such extermination or removal as a special tax against the property." respectfully report as follows: That House Bill No. 52 be amended as follows:

That the title thereof be amended: By striking out in the title in line 3, commencing with the word "by" all the remainder of the title and adding in lieu thereof the following: "providing for the amendment of sub-section 3, by removing the limit of license taxes that may be imposed;" for the amendment of sub-section 16, by striking the word "saloon" therefrom, and by providing for the regulation of pool halls and soft drink parlors;" for the amendment of sub-section 22, by striking therefrom the following: "Whiskey and other spirits in barrels, hogs-heads and other vessels;" for the amendment of sub-section 45, "providing for the establishment within or without the city limits of a hospital for the care of contagious diseases;" for the amendment of sub-section 54, by providing for the "regulation of automobiles and trucks;" for the amendment of sub-section 56, by striking the word "exclusive" therefrom; for the amendment of sub-section 62, by "providing for the disposal of municipal lighting and power plants and other property held in trust for specific purpose."

And by adding a new sub-section to be known as Sub-section 83, giving the city and town councils power to declare and determine what vegetation within the city or town shall be noxious weed, providing for the extermination thereof and for levying the cost of such extermination as a special tax.

And by amending the bill as follows: By amending sub-section 62 as amended in the Committee of the Whole as follows:

To strike out all of sub-section 62, after the word "council" and to add thereafter the following: To sell, dispose of, or lease any property belonging to a city or town not held in trust for a specific purpose, and such transfer must be made by ordinance or resolution passed by a two-thirds vote of all members of the council, provided however, that when it is for the best interest of the city or town and the residents thereof that any municipal lighting system or power plant, owned by the municipality and held in trust for a specific purpose, be sold or disposed of, the city or council shall have power to fix and determine and declare the value thereof and to sell, lease and dispose of the same, such sale, lease

or disposal to be approved by a majority vote of tax payers of such municipality cast at an election called for that purpose."

And that when so amended, do pass.

BURNS, Chairman.

On motion of Burns, report adopted.

Mr. Speaker: We, your Committee on Irrigation and Water Rights, having had under consideration, House Bill No. 145, introduced by the Committee on Irrigation and Water Rights, entitled: A Bill for an Act entitled: "An Act to amend Chapter 129 of the Session Laws of the Seventeenth Legislative Assembly, as amended by Chapter 109 of the Session Laws of the Eighteenth Legislative Assembly, providing for the delay or cessation of the construction of drainage works; the dissolving of drainage districts; stopping expenses in connection therewith; providing procedure how same shall be done, and apportioning the costs of the expense of such work, and debts of said district:" respectfully report as follows: That said House Bill No. 145 be amended as follows:

That the title be amended to read as follows: A Bill for an Act entitled: "An Act to amend Sections 7265 to 7364 inclusive of the Revised Codes of Montana, 1921, as amended by Chapter 109 of the Session Laws of the Eighteenth Legislative Assembly by adding a new Section to be known as Section 7265A, providing for the delay or cessation of the drainage works; the dissolving of drainage districts stopping expenses in connection therewith; providing procedure how same shall be done, and apportioning the costs of the expense of such work, and debts of said district."

And it is further recommended that Section 1 shall read as follows:

Section 1. That Sections 7265 to 7364 inclusive of the Revised Codes of Montana of 1921, as amended by Chapter 109 of the Session Laws of the Eighteenth Legislative Assembly be and the same are hereby amended by adding the following section to be known as Section 7265A.

And it is further recommended that the words "Section 2" in line 11 be stricken and that the following be inserted in lieu thereof "7265A".

In lines 14, 15, 16 and 17 the words "Chapter 129 of the Seventeenth Legislative Assembly, being Section 7265 to 7364 inclusive of the Revised Codes of Montana for 1921," be stricken and that the following be substituted in lieu thereof, "Sections 7265 to 7364 inclusive of the Revised Codes of Montana as amended by Chapter 109 of the Session Laws of the Eighteenth Legislative Assembly."

And it is further recommended that:

The figure "3" in line 21 on page 2 be stricken and the figure "2" be inserted in lieu thereof.

And it is further recommended that:

The figure "4" in line 24 on page 2 be stricken and the figure "3" be inserted in lieu thereof.

And the same do pass as amended.

STRANGE, Chairman.

On motion of Strange, report adopted.

At the request of A. T. Larsen, there being no objections, House reverted to Order of Business No. 2:

#### NOTICES

Authors gave notice that they will on tomorrow or some subsequent day introduce bills as follows:

By Rice: A Bill for an Act entitled: "An Act to require the lessee of an oil and gas lease to drill off-set wells and prescribing the penalty for failure to do so."

By Wuerthner, A Bill for an Act entitled: "An Act granting unto a city or town council the power to establish a pension fund for the payment of pensions to any city or town employee continuously employed by such city or town for a period of not less than twenty-five years."

By Fitzgarrald (Ravalli), Strange and McAfee, A Bill for an Act entitled: "An Act to repeal Chapter 72 of the laws of the 18th Legislative Assembly relating to old age pensions."

By Strange, Fitzgarrald (Ravalli), by request: A Bill for an Act entitled: "An Act appropriating money from the State Highway Fund for the payment of the State's proportion of the balance unpaid for the construction of a state highway known as the Skalkaho Road and designated as Federal Aid Project No. 161A."

By Committee on Banks and Banking, A Bill for an Act entitled: "An Act to amend Section 6358 of the Revised Codes of Montana of 1921, relating to the powers for Building and Loan Associations."

By Donaldson, A Bill for an Act entitled: "An Act to amend Section 5251 of the Revised Codes of Montana of 1921 relating to certification of special assessments and taxes for special improvements within incorporated cities and towns."

By A. T. Larsen, and Troy, A Bill for an Act entitled: "An Act to amend Section 4 of Chapter 89 of the Acts of the 13th Legislative Assembly of the State of Montana relating to when and how a city council may make the expense of contemplated work or improvement on the streets of a city which in the opinion of the city council is of more than local or ordinary public benefit chargeable upon an extended district which may include lots and lands not fronting on the work or improvement and fixing the proportion of the expenses to be assessed against lots and lands fronting on the contemplated work or improvement and on the lots and lands situated within the extended district and not fronting on the contemplated work or improvement under certain circumstances."

By McAfee, Moss, Lincoln and Cusick, A Bill for an Act entitled: "An Act to amend Section 1282 of the Revised Codes of Montana of 1921, as amended by Chapter 19 of the laws of the Eighteenth Legislative Assembly relating to attendance at County High Schools and fees for use, loss of or damage to equipment."

### MOTIONS AND RESOLUTIONS

Moved by Flachsenhar, duly seconded and carried, that House reconsider its action on House Bill No. 20.

Moved by Flachsenhar, duly seconded and carried, that House Bill No. 20 be taken from Clerk and be referred to Committee on Privileges and Elections.

Moved by Besancon, duly seconded and carried that House Bill No. 205 be placed at the bottom of second column of list of General Orders.

### CONSIDERATION OF GENERAL ORDERS

Moved by Ruffcorn, duly seconded and carried, that House now resolve itself into Committee of the Whole and that debate be limited to five minutes.

Mr. Harris in the Chair.

The Committee arose.

Mr. Speaker in the chair.

The Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole having had under consideration House Bill No. 40, respectfully report as follows: That House Bill No. 40 Committee arise and report progress and beg leave to sit again.

HARRIS, Chairman.

On motion of Harris report adopted.



SPECIAL ORDERS  
CONSIDERATION OF GENERAL ORDERS  
WITH RESPECT TO HOUSE BILL NO. 157

Moved by Ruffcorn, duly seconded and carried, that House now resolve itself into a Committee of the Whole for Consideration of Special and General Orders set for 3:00 P. M.

Mr. Kinville in the Chair.

The Committee arose.

Mr. Speaker in the chair.

The Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole having had under consideration House Bill No. 157, respectfully report as follows: That House Bill No. 157, the enacting clause be stricken out.

KINVILLE, Chairman.

On motion of Kinville, report adopted.

Moved by Holt, duly seconded and carried, that the House adjourn until 9:00 A. M. February 12, 1925.

R. C. BRICKER, Speaker.

Attest: H. J. FAUST, Chief Clerk.

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**THIRTY-NINTH DAY**

House of Representatives,  
Helena, Montana, February 12, 1925.

House met pursuant to adjournment at 9:00 A. M.

Mr. Speaker in the chair.

Prayer by the Chaplain.

On roll call all present except: Lemmon, excused on account of sickness; and Fox, excused on account of death of his father.

The Journal Committee reported as follows:

Mr. Speaker: We, your Committee on Journal, have this day examined the Journal for the 38th Legislative day and found the same correct.

PEARL I. SMITH, Chairman.

On motion of Smith, report adopted.

**NOTICES**

Authors gave notice that they will on tomorrow or some subsequent day introduce bills as follows:

By Committee on Banks and Banking: A Bill for an Act entitled: "An Act to amend Section 6059 of the Revised Codes of Montana 1921, relating to the limitation of loans."

By Harris: A Bill for an Act entitled: "An Act to amend Section 663 of the Revised Codes of Montana of 1921 relating to the selection of a national committeeman and committeewoman by political parties."

By Strange and Fitzgarrald of Ravalli, by request: "An Act relating to keeping of samples of milk and cream for inspection by the Commissioner of Agriculture, Labor and Industry, or his authorized agent in places where milk or cream is tested by the Babcock test."

By Strange and Fitzgarrald of Ravalli, by request: "An Act giving authority to the Commissioner of Agriculture, Labor and Industry to revoke the licenses of operators of the Babcock test for failure to comply

with the laws of the State of Montana or the regulations of the State Department of Agriculture, Labor and Industry relating to said test."

By Peat, Donaldson, Reed: A Bill for an Act entitled: "An Act legalizing and authorizing the use by County Treasurers in the counties of the State of Montana of posting machines for extension on tax registers of taxes collected and of loose leaf binders for the preservation of the records so made."

By Beadle, Caplis, Johnson: A Bill for an Act entitled: "An Act appropriating money for the payment of deficiency claims of certain persons for labor and materials furnished in the erection and construction of the metallurgical building at the State School of Mines at Butte, and for refunds of inheritance tax, district judges expense, expense of eradication of grasshoppers, expense of presidential electors, expense of orthopedic commission, expense of transporting prisoners, expenses of delegates to national convention, requisition, election expense, publishing State Treasurer's report, Consolidated Boards, State Board of Entomology, Historical Library, Board of Examiners, State Budget, Industrial Accident Board, Land Office, Experiment Station, refund of taxes, State Prison, Hospital for the Insane, and Terminal Elevator."

By Graybill: A Bill for an Act entitled: "An Act to submit to the qualified electors of the State of Montana an amendment to the Constitution of the State, Article IX, by adding thereto a Section authorizing the legislature to prescribe a literacy test for electors."

By Gordon and Tinsley: A Bill for an Act entitled: "An Act to amend Section 1252, Revised Codes of Montana of 1921, relating to petitions by qualified electors who are taxpayers to authorize the voting upon the issuance of any school, town, city or county bonds and requiring the holding of such election upon the filing of such petition."

By E. M. Larson: A Bill for an Act entitled: "An Act to amend Section 2917 of the Revised Codes of Montana, 1921, relating to hospital and medical services to be furnished under the provisions of the Workmen's Compensation Act."

By Joffray: A Bill for an Act entitled: "An Act exempting those engaged in the transportation of the United States mails from the payment of gasoline and automobile license tax."

By Joffray: A Bill for an Act entitled: "An Act amending Section 1062 of the Revised Codes of Montana of 1921, relating to school holidays and other days of observance."

By McAfee, Strange, Lincoln, Cusick, Walton: A Bill for an Act entitled: "An Act to designate and provide for the destruction and eradication of Canadian Thistles, Sow Thistle, Quack Grass and other noxious weeds."

By Graybill: A Bill for an Act entitled: "An Act to amend Sections 11053 and 11054, Revised Codes of Montana, 1921, relating to physicians and pharmacists permits and revocation of permits."

By Nelstead: A Bill for an Act entitled: "An Act amending Section 1704 of the Revised Codes of the State of Montana of 1921, relating to the levy and collection of Special Bridge Tax."

#### REPORTS OF STANDING COMMITTEES

The following reports were received from Standing Committees:

Mr. Speaker: We, the majority of your Committee on New Counties and Divisions, having had under consideration House Bill No. 263, introduced by Moss, McAfee, Lincoln, and Cusick, respectfully report as follows: That House Bill No. 263 do not pass.

SCHOENING, Chairman.  
DELLWO,  
DUNCAN,  
W. P. FLYNN,  
MORIARITY,  
WALKER.

Mr. Speaker: We, the minority of your Committee on New Counties and Divisions, having had under consideration House Bill No. 263, introduced by Moss, McAfee, Lincoln, Cusick, respectfully report as follows: That House Bill No. 263 do pass.

CUSICK,  
HOLT.

Moved by Schoening, duly seconded, that majority report be adopted.

Moved by Cusick, as substitute motion, duly seconded, that minority report be adopted.

Question arising on substitute motion, same failed.

Question arising on original motion, same carried.

Mr. Speaker: We, your Committee on Military Affairs, having had under consideration House Bill No. 328, introduced by White, Beadle, Lincoln and Leavens, respectfully report as follows: That House Bill No. 328 do pass.

WHITE, Chairman.

On motion of White, report adopted.

Mr. Speaker: We, your Committee on Irrigation, having had under consideration House Bill No. 310, respectfully report as follows: That House Bill No. 310 be amended by adding a new section to be numbered Section 4 to read as follows:

"Section 4. Nothing in this Act shall apply to mortgages now held on irrigation districts heretofore created."

And that Sections 4 and 5 in the bill be renumbered as Sections 5 and 6.

And also by amending Section 2, line 13, after the word "any" and before the word "taxes" by inserting the word "irrigation."

STRANGE, Chairman.

On motion of Strange, report adopted.

Mr. Speaker: We, your committee on Privileges and Elections, having had under consideration House Bill No. 259, by Fitzgerald of Silver Bow, respectfully report as follows: That House Bill No. 259 do not pass.

HARRIS, Chairman.

Moved by Harris, duly seconded, that report be adopted.

Moved by Fitzgerald of Silver Bow, as substitute motion, duly seconded, that House Bill No. 259 be printed and placed on General Orders.

Question arising on substitute motion, roll call having been demanded, motion was lost by the following vote:

Ayes: Anderson, Beadle, Bergstrom, Caplis, Cusick, Dellwo, Fitzgerald (Silver Bow), Hardecastle, Holt, Kelly, Larsen (Sheridan), Larson (Sheridan), Lincoln, Meagher, Miller, Moriarity, Moulton, Mulholland, McGrath, Plank, Plumer, Shields, Stoddard, Tinsley, Troy. Total—25.

Noes: Ainsworth, Andrus, Berryman, Besancon, Brandt, Budas, Burns, Castles, Clarke, Davis, Duncan, Eaton, Fitzgarrald (Ravalli), Flachsenhar, Fletcher, Flynn, Gordon, Graybill, Green, Hanson, Harris, Hawley, Hedrick, Higham, Hoffman, Holton, Johnson (Fergus), Johnson (Valley), Keeley, Kennedy, Larson (Cascade), Leavens, Loble, Masters, Merritt, Morris, Moss, Murphy, McAfee, Nelson, Parkin, Patterson, Peat, Reed, Rice, Rupert, Ryder, Sales, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Strange, Throssel, Walker, White. Total—56.

Absent and not voting: Akofer, Campbell, Donaldson, Doran, Fairgrieve, Fox, Joffray, Kinville, Lemmon, McCarty, Nagle, Nelstead, Peterson, Ruffcorn, Waite, Walton, Wold, Wuerthner, Zeh. Total—19.

Question now arising on original motion, same carried.



Mr. Speaker: We, the majority of your Committee on Judiciary, having had under consideration House Bill No. 94, introduced by Hedrick, respectfully report as follows: That House Bill No. 94 do not pass.

JOHNSON of Fergus,  
FITZGARRALD of Ravalli,  
AINSWORTH  
FLACHSENHAR,  
CAMPBELL,  
NELSTEAD.  
SMITH.

Mr. Speaker: We, the minority of your Committee on Judiciary, having had under consideration House Bill No. 94, introduced by Hedrick, respectfully report as follows: That House Bill No. 94 do pass.

BEADLE,  
BURNS, Chairman.

Moved by Ainsworth, duly seconded, that majority report be adopted.

Moved by Burns, as substitute motion, duly seconded, that minority report be adopted.

Question arising on substitute motion, same failed.

Question arising on original motion, roll call was demanded, and the question carried by the following vote:

Ayes: Ainsworth, Akofer, Andrus, Bergstrom, Berryman, Besancon, Brandt, Budas, Campbell, Castles, Clarke, Davis, Duncan, Eaton, Fairgrieve, Fitzgarrald (Ravalli), Flachsenhar, Fletcher, Flynn, Gordon, Green, Hanson, Hardcastle, Harris, Higham, Hoffman, Holt Holton, Johnson (Fergus), Johnson (Valley), Keeley, Kennedy, Larson (Cascade), Leavens, Loble, Masters, Merritt, Miller, Moss, Moulton, McAfee, McGrath, Nelson, Parkin, Peat, Reed, Rice, Ruffcorn, Rupert, Sales, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Strange, Throssel, Waite, White, Wold, Zeh. Total—60.

Noes: Anderson, Beadle, Burns, Caplis, Cusick, Dellwo, Doran, Fitzgerald (Silver Bow), Graybill, Hawley, Hedrick, Joffray, Kelly, Kinville, Larsen (Sheridan), Larson (Sheridan), Lincoln, Meagher, Moriarity, Morris, Mulholland, Murphy, Patterson, Peterson, Plank, Plumer, Ryder, Shields, Stoddard, Tinsley, Troy, Walker, Walton, Wuerthner. Total—34.

Absent and not voting: Donaldson, Fox, Lemmon, McCarty, Nagle, Nelstead. Total—6.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 183, introduced by Berryman, respectfully report as follows: That House Bill No. 183 do not pass.

BURNS, Chairman.

On motion of Burns, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 337, introduced by Loble and Keeley, respectfully report as follows: That House Bill No. 337 do not pass.

BURNS, Chairman.

On motion of Burns, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 301, introduced by Campbell, respectfully report as follows: That House Bill No. 301 do pass.

BURNS, Chairman.

On motion of Burns, report adopted.

Mr. Speaker: We, your Committee on Railroads and Transportation, having had under consideration House Bill No. 139, Troy, respectfully report as follows: That House Bill No. 139 do not pass.

But that Substitute H. B. No. 139 do pass.

HAWLEY, Chairman.

On motion of Hawley, report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 291, introduced by Donaldson, respectfully report as follows: That House Bill No. 291 do pass.

DONALDSON, Chairman.

On motion of Parkin, report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 322, introduced by Graybill, respectfully report as follows: That House Bill No. 322 do pass.

DONALDSON, Chairman.

On motion of Parkin, report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 327, introduced by Strange and Fitzgarrald, respectfully report as follows:

That House Bill No. 327 be amended by striking out the word "holders" in line 7 of Section 1 and the word "owners" be substituted in lieu thereof and that the letter "s" be added to the word "building" in the last line of Section 1, and when so amended that it do pass.

DONALDSON, Chairman.

On motion of Parkin, report adopted.

Mr. Speaker: We, your Committee on Agriculture, having had under consideration House Bill No. 161, respectfully report as follows:

That House Bill No. 161 be amended by amending the title to read as follows:

"An Act creating a division of weights and measures in the Department of Agriculture, Labor and Industry, and defining the composition, powers and duties; regulating the use and inspection of weights and measures, fixing the fees to be collected for such inspection and the disposition of same; making the State Coal Mine Inspector Deputy State Sealer of Weights and Measures under jurisdiction of Division of Weights and Measures in the Department of Agriculture, Labor and Industry, insofar as same relates to coal mines and coal mining; authorizing arrests and providing penalties for the violating of this Act; and repealing Sections 3454, 3575, 4233, 4235, 4236, 4237, 4238, 4239, 4240, 4241, 4242, 4243, 4244, 4245, 4247, 4250, 4151, 4252, 4253, 4258, 4259, 4260, 4261, 4262, 4263, and 4264 of the Revised Codes of Montana of 1921, and Section 2 of Chapter 41 of the Laws of the Eighteenth Legislative Assembly of Montana of 1923, and all other Acts and parts of Acts in conflict herewith."

And further amending the bill by adding one new section to be Section 9, said Section reading as follows:

"Section 9. The State Coal Mine Inspector is hereby made Deputy State Sealer of Weights and Measures under the jurisdiction of the Division of Weights and Measures in the Department of Agriculture, Labor and Industry insofar as the same relates to coal mines and coal mining, and as such is empowered to test and compare all weights and measures used in weighing and measuring coal at any coal mines, or used in measuring air-passages or other openings in coal mines, with the standards of weights and measures kept by the State Sealer of Weights and Measures. Upon the written request of any coal mine owner or operator, or ten coal miners employed at any one mine, it shall be his duty to test and prove any scale or scales at such mine against which complaint is directed and if he shall find that they or any of them do not weight correctly, he shall call the attention of the miner owner, lessor, or operator, to the fact, and direct that said scale or scales be at once overhauled and readjusted so as to indicate only true and correct weights, and he shall forbid the further operation of such scale until such scales are adjusted."

And further amending the bill by re-numbering Section 9 in the original bill to read Section 10; and Section 10 to read Section 11; and Section 11 to read Section 12; and Section 12 to read Section 13; and Section 13 to read Section 14.

HANSON, Chairman.

On motion of Hanson, report adopted.

Mr. Speaker: We, your Committee on Banks and Banking, having had under consideration Senate Bill No. 70, introduced by Committee on Banks and Banking, respectfully report as follows: That Senate Bill No. 70 be concurred in.

JOHNSON, Chairman.

On motion of Johnson of Fergus, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 86, respectfully report as follows:

That House Bill No. 86 be amended as follows:

1. Amend Section 4: By striking out of the last line on page 2 the word "may" and inserting in lieu thereof the following: "or that it is for the best interests of the State so to do." In line 7, page 3, by changing the period after the word "same" to a comma, and then adding the words: "or wherein the interests of the State require a change to be made in such assessment and the nature of the change proposed therein."

By striking out of line 18, page 3, the word "five" and inserting in lieu thereof the word "fifteen."

2. By inserting a new section, to follow Section 4, and to be numbered Section 6, and which shall read as follows:

"Section 5. No assessment made by the State Board of Equalization shall be held or deemed to be illegal or completed within the time required by this Act."

3. By renumbering present sections 5 and 6 so that they will be, respectively, Sections 6 and 7.

And that, as so amended, said bill do pass.

RUFFCORN, Chairman.

On motion of Ruffcorn, report adopted.

Mr. Speaker: We, a majority of your Committee on Revenue and Taxation, having had under consideration House Bill No. 279, respectfully report as follows: That House Bill No. 279 do pass.

RUFFCORN, Chairman.

STRANGE,  
HANSON,  
BERRYMAN,  
FLETCHER,  
HOFFMAN,  
DONALDSON,  
BERGSTROM,  
WALTON,  
SHIELDS,  
HOLTON.

Mr. Speaker: We, a minority of your Committee on Revenue and Taxation, having had under consideration House Bill No. 279, respectfully report as follows: That House Bill No. 279 do not pass.

KELLY.

Moved by Ruffcorn, duly seconded, that majority report be adopted.

Moved by Kelly, as substitute motion, duly seconded, that minority report be adopted.

Question arising on substitute motion, same failed.

Question now arising on original motion, same carried.

The Enrolling Committee reported as follows:

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bills No. 110, 154.

McAFEE, Chairman.

## INTRODUCTION OF BILLS AND MEMORIALS

The following bill was introduced, read first and second times, second time at length, and referred to Committee on Appropriations.



House Bill No. 353, introduced by Strange and Fitzgarrald of Ravalli, by request: A Bill for an Act entitled: "An Act appropriating money from State Highway fund for the payment of the State's proportion of the balance unpaid for the construction of a State highway known as the Skalkaho road and designated as Federal Aid Project 161-A." Referred to Committee on Appropriations.

The following bills were introduced, read first and second times, by title only, and referred to committees as follows:

House Bill No. 354, introduced by Peterson: A Bill for an Act entitled: "An Act to change the boundary line between the counties of Glacier and Pondera; taking from said County of Pondera certain territory and adding the same to the said County of Glacier; providing for the appointment of the commissioners to adjust indebtedness; providing for the transfer of school funds and delinquent taxes; providing for the transcribing and transfer of records and the transfer of actions pending in court; and providing that township, school and other officers within the territory so transferred shall hold their offices for the balance of their terms." Referred to Committee on New Counties and Divisions.

House Bill No. 355, introduced by Beadle, Mulholland and Fitzgerald of Silver Bow: A Bill for an Act entitled: "An Act to create a police relief, health and insurance fund in incorporated cities of the first class, having a population of thirty-eight thousand (38,000) or more, according to the United States census of 1920, providing for the disbursement thereof, and creating a board of police pension fund commissioners. (Laws 1909, p. 59, approved March 2, 1909, as amended by Act approved February 21, 1911, Laws 1911, p. 55, and further amended by Act approved March 8, 1915, Laws 1915, p. 137)." Referred to Committee on Affairs of Cities.

House Bill No. 356, introduced by Fairgrieve, et al: A Bill for an Act entitled: "An Act to require the teaching of the Constitution of the United States in the public schools of the State of Montana." Referred to Committee on Education.

House Bill No. 357, introduced by Moss, Rice, Dellwo, Hoffman: A Bill for an Act entitled: "An Act to amend Sections 5194 and 5201, Revised Codes of Montana of 1921, relating to the amount of tax to be levied by cities and towns for municipal purposes." Referred to Committee on Revenue and Taxation.

The following bill was introduced, read first and second times, second time at length, and referred to Committee on Appropriations:

House Bill No. 358, introduced by Robert Larson: A Bill for an Act entitled: "An Act providing for the preservation of the valuable historical records, trophies and curios in the possession of the State Historical society by appropriating a specific sum for the purchase of display cases and the hiring of additional help for the rearranging and proper labeling of said records, trophies and curios; and granting permission for placement of such additional cases in the corridors of the State capitol building." Referred to Committee on Appropriations.

The following bills were introduced, read first and second times, by title only, and referred to committees as follows:

House Bill No. 359, introduced by Rice: A Bill for an Act entitled: "An Act to require the lessée of an oil and gas lease to drill off-set wells and prescribing the penalty for failure to do so." Referred to Committee on Petroleum, Oil and Gas Affairs.

House Bill No. 360, introduced by Wuerthner: A Bill for an Act entitled: "An Act granting unto the city or town council the power to establish a pension fund for the payment of pensions to any city or town employee continuously employed by such city or town for a period of not less than twenty-five years." Referred to Committee on Affairs of Cities.

House Bill No. 361, introduced by Robert Larson: A Bill for an Act entitled: "An Act to amend Section 1904, Chapter 149, of the Revised Codes of Montana of 1921, relating to "holding over and trespass" upon

State lands; providing a penalty therefor, and the manner of collecting same." Referred to Committee on State Lands.

House Bill No. 362, introduced by Graybill: A Bill for an Act entitled: "An Act providing for counting judges and clerks of election in certain election precincts, providing for their qualifications and oath, providing for equipment and procedure in counting ballots, providing penalties for violation of the provisions of this Act, and repealing all Acts or parts of Acts in conflict herewith." Referred to Committee on Privileges and Elections.

House Bill No. 363, introduced by Fletcher: A Bill for an Act entitled: "An Act to amend Section 4874 of the Revised Codes of Montana for 1921, as amended by Chapter 82 of the Laws of the Eighteenth Legislative Assembly of the State of Montana relating to the authority of the County Commissioners to fix compensation and appointment of deputy county officers." Referred to Committee on Townships and Counties.

The following bill was introduced, read first and second times, second time at length, and referred to Committee on Appropriations:

House Bill No. 364, introduced by Harris: A Bill for an Act entitled: "An Act appropriating money to reimburse Andrew Hoyem for the loss of interest on money paid to the State of Montana, through its State Board of Land Commissioners for purchase of land to which the State of Montana was unable to give title." Referred to Committee on Appropriations.

The following bills were introduced, read first and second times, by title only, and referred to committees as follows:

House Bill No. 365, introduced by A. T. Larsen, Castles, Robert Larson, Graybill: A Bill for an Act entitled: "An Act providing for the licensing of billiard and pool halls and soft drink parlors; authorizing the revocation of such licenses; providing penalties for the violation of this Act; repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Ways and Means.

House Bill No. 366, introduced by McAfee, Moss, Lincoln, Cusick: A Bill for an Act entitled: "An Act to amend Section 1282 of the Revised Codes of Montana of 1921, as amended by Chapter 19 of the Laws of the Eighteenth Legislative Assembly, relating to attendance at county high schools, and fees charged for use, loss or damage to equipment. Referred to Committee on Education.

House Bill No. 367, introduced by Campbell: A Bill for an Act entitled: "An Act requiring the State Board of Equalization to make and keep a record of its decisions and actions, relating to the assessment of property for taxation. Referred to Committee on Judiciary.

House Bill No. 368, introduced by Committee on Insurance: A Bill for an Act entitled: "An Act prescribing the powers and duties of the State Fire Marshal and prescribing penalties for the violation of this Act." Referred to Committee on Insurance.

House Bill No. 369, introduced by Committee on Railroads and Transportation: A Bill for an Act entitled: "An Act to impose upon transportation companies, as defined in Chapter 154, Laws 1923, and Acts amendatory thereof and supplemental thereto, a tax for revenue purposes to defray the cost of constructing and maintaining roads, used and employed by such transportation company." Referred to Committee on Railroads and Transportation.

House Bill No. 370, introduced by Johnson of Valley and Davis: A Bill for an Act entitled: "An Act providing for the keeping of repairs within the State of all gas and oil burning tractors, steam or gas engines, harvesting and threshing machinery, automobiles and auto trucks, and prescribing the duties of the manufacturers thereof." Referred to Committee on Improvements and manufacturing.

House Bill No. 371, introduced by Nelstead, by request: A Bill for an Act entitled: "An Act to confer upon the State Board of Railroad Commissioners of the State of Montana, power to award reparation for damages suffered for any violation of any of the provisions of Chapter 37 of



the Laws of 1907, and Acts amendatory thereof and supplemental thereto; to prescribe procedure for such awards and making this remedy cumulative and additional to all existing remedies." Referred to Committee on Corporations Other Than Municipal.

House Bill No. 372, introduced by Nelstead, by request: A Bill for an Act entitled: "An Act to amend Section 3808, Revised Codes of Montana, 1921, by extending the time within which action may be brought to recover excess charges made by railroads on intrastate traffic; and providing a period of time within which railroads may bring suit for recovery of their charges." Referred to Committee on Corporations Other Than Municipal.

House Bill No. 373, introduced by Committee on Banks and Banking: A Bill for an Act entitled: "An Act to amend Section 6358 of the Revised Codes of Montana of 1921, relating to the powers for building and loan associations." Referred to Banks and Banking.

House Bill No. 374, introduced by Schoening: A Bill for an Act entitled: "An Act prohibiting certain trespasses upon railroad trains and railroad properties and providing penalties therefor, and the jurisdiction of courts in the premises." Referred to Ways and Means.

House Bill No. 375, introduced by A. T. Larsen: A Bill for an Act entitled: "An Act to amend Section 4, of Chapter 89 of the Acts of the Thirteenth Legislative Assembly of the State of Montana, relating to when and how a city council may make the expense of contemplated work or improvement on the streets of a city, which in the opinion of the city council is of more than local or ordinary public benefit, chargeable upon an extended district which may include lots and lands not fronting on the work or improvement and fixing the proportion of the expenses to be assessed against lots and lands fronting on the contemplated work or improvement and on the lots and lands situated within the extended district and not fronting on the contemplated work or improvement under certain circumstances." Referred to Affairs of Cities Committee.

House Bill No. 376, introduced by Rupert: A Bill for an Act entitled: "An Act to amend Section 4482 of the Revised Codes of Montana, 1921, with reference to contracts for county printing." Referred to Committee on Printing.

House Bill No. 377, introduced by James T. Fitzgerald, Kerr Beadle, and Michael Mulholland: A Bill for an Act entitled: "An Act to amend Section 1999 and Section 2000 of Chapter 159 of the Political Code, Revised Codes of Montana, 1921, relating to the classification of taxable property and property for taxation and the basis for the imposition of taxes." Referred to Revenue and Taxation Committee.

House Bill No. 378, introduced by Loble and Keeley: A Bill for an Act entitled: "An Act to repeal Section 11559 of the Revised Codes of Montana, 1921, relating to entering a horse in a race under a fictitious name." Referred to Fairs and Expositions.

House Bill No. 379, introduced by Donaldson: A Bill for an Act entitled: "An Act to amend Section 5251 of the Revised Codes of Montana of 1921, relative to certification of special assessments and the collection of special assessments and taxes for special improvements within incorporated cities and towns. Referred to Revenue and Taxation Committee.

The following bill was introduced, read first and second times, second time at length, and referred to Committee on Appropriations:

House Bill No. 380, introduced by Joffray: A Bill for an Act entitled: "An Act appropriating money for the purchase of farm land to be used in connection with the operation of Montana School for the Deaf and Blind."

Following resolutions were introduced and referred to committees:

House Memorial No. 4, introduced by Graybill: A Memorial to the Senate of the United States urging the immediate enactment of pending legislation to provide adequate compensation for postal employees. Committee on Labor.



House Joint Resolution No. 9, introduced by Holton, Waite, Davis, Moss, Flachsenhar, Fitzgerald: A Joint Resolution relating to reimbursing the land grant income and investment funds for moneys unlawfully taken from for the expenses of the State Land Office, with interest for the years 1894 to 1924 inclusive, and to return from the General fund, interest earned on the Permanent School fund for the years 1907 to 1924 inclusive, and to provide for the refunding and payment thereof. Committee on State Lands.

House Joint Resolution No. 2, introduced by Holton and Waite:

Whereas, Conditions existing in Montana for the past five years have been most serious and people engaged in the livestock industry and in farming have suffered to a greater extent than any other particular line of business;

Now Therefore, Be It Resolved, That in the interest not only of the people of the State of Montana, but to the income to be derived by the School fund from the rentals of the state lands for agricultural and grazing purposes that the State Land Board is hereby authorized and it is now recommended by the legislature, now assembled, that the minimum grazing rental fee for state lands shall be set at forty dollars (\$40.00) per section per year, and that the agricultural rental fee for state lands shall be set at fifty cents (50c) per acre per year. It is believed that if this recommendation is adopted and authorized that it will result in greatly increasing revenues from the state lands and also will be of great benefit to the people engaged in agricultural pursuits and to the livestock industry.

Be It Further Resolved, That a copy of this resolution be served upon members of the State Board of Land Commissioners, the Register of State Lands and the State Land Agent. Referred to State Lands Committee.

At the request of Dellwo, there being no objections, House reverted to Order of business No. 2:

#### NOTICES

Authors gave notice that they will on tomorrow or some subsequent day introduce bills as follows:

By Gordon, by request: A Bill for an Act entitled: "An Act to amend Section 1204 relating to counting of Indian children in apportionment of county school funds."

By Loble: A Bill for an Act entitled: "An Act to amend Section 5383 of the Revised Codes of Montana, 1921, relating to the powers and duties of the city council under the commission form of government."

By Nagle: A Bill for an Act entitled: "An Act providing for a penalty for issuing a summons, execution or other paper, excepting subpoena, by justice of the peace leaving blanks to be filled in by another."

By Nagle: A Bill for an Act entitled: "An Act authorizing George A. Rietz to file with the State Board of Examiners his claim against the State of Montana for compensation for injuries received by the said George A. Rietz while a student enrolled in the University of Montana, by reason of having fallen in an unmarked, unlighted and unguarded elevator shaft in the dormitory known as 'South Hall' at the said University of Montana at Missoula, and authorizing said State Board of Examiners to hear, audit and determine the said claim of George A. Rietz, and making an appropriation to pay any such claim of said George A. Rietz which the said State Board of Examiners may approve and allow."

By Committee on State Lands, Holton, chairman: A Bill for an Act entitled: "An Act to amend Section 1938 of the Revised Codes of 1921 as amended by Chapter 94 of the Session Laws of 1923, relating to the foreclosure of and acquiring title by quit claim deeds to lands mortgaged to the State, and the sale of such lands, providing for the resale thereof to the original mortgagors, their heirs, assigns, and parties of record, for the sale of such lands by sealed bids, or at private sale thereafter if no bids are submitted, on the amortization plan, for crop lease of abandoned mort-

gaged farms, for the release of seed liens by county commissioners when requested, for the remitting of penalties when state pays delinquent taxes in certain cases."

By Committee on Revenue and Taxation: A Bill for an Act entitled: "An Act to provide for levying, assessing, collecting, and paying of a tax on the amount paid for admission to any theater, opera, public dance hall, or other place of amusement or entertainment, to be paid by the person paying for such admission; providing what admissions shall be exempt from such tax; prescribing the method of collecting and paying such tax; providing for returns thereof to the State Board of Equalization; providing for the disposition of such tax; declaring violation of this Act a misdemeanor and prescribing the penalty therefor."

By Walker, Hedrick, Moulton, Smith of Lewis and Clark: A Bill for an Act entitled: "A Bill for an Act providing for the annual payment of taxes and repealing Chapter 96 of Session Laws of the 18th Regular Session."

By Hedrick: A Bill for an Act entitled: "An Act creating representative districts and providing the manner in which representatives be elected."

By White, by request: A Bill for an Act entitled: "An Act to amend Section 8865 of the Revised Codes of Montana for 1921 relating to residence and qualifications of Justices of the Peace."

### MOTIONS AND RESOLUTIONS

Moved by Hanson, duly seconded and carried, that after today, the thirty-ninth day, no motion be entertained to make any bill pending a Special Order of Business at any time.

The Speaker gave notice to the House that he was about to sign House Bills Nos. 110 and 154, and thereupon signed the same respectively.

### CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

Moved by Loble, duly seconded and carried, that messages from Senate be considered read at length and the Journal so show.

The following messages were received from the Senate:

Helena, Montana, February 11, 1925

By Dellwo, A Bill for an Act entitled: "An Act to amend Chapter 246 of Part III of the Political Codes of Revised Codes of Montana, 1921, by adding one Section thereto to be known as 3398A relating to taking up and disposing of horses running at large within herd districts."

By Brandt, A Bill for an Act entitled: "An Act to repeal Chapter 105 of the Laws of the 18th Session, entitled: An Act to amend Sections 3859 and 3875 of the Revised Codes of Montana, relating to the inspection of water craft, appointment of inspectors and their compensation, and inspection and license fees."

By Fitzgerald, A Bill for an Act entitled: "An Act to amend Section 1861A of the Laws of Montana, 1923, of the 18th Legislative Assembly relating to the purchase of state lands, the certificate of purchase therefore, and the duties of the register of state lands."

By Committee of State lands, Holton, Chairman, A Bill for an Act entitled: "An Act to amend Chapter 10 of the Session Laws of 1923; providing for the amortization plan of payment for state lands; setting forth the contents of certificates of purchase; authorizing certificates of purchase now outstanding to be converted into new amortization certificates and amending and re-enacting Section 1860 and 1861 of the Revised Codes of Montana, 1921; by changing the initial payment from 15% to 10% payment."

By Fairgrieve, A Bill for an Act entitled: "An Act to amend Sections 1094 Revised Codes of Montana, 1921, as amended by Section 8 of Chapter 131 of the Session Laws of the Eighteenth Legislative Assembly, relat-



ing to the academic and professional preparation required as prerequisite for issuance of teacher's certificates."

By Loble and Keeley, A Bill for an Act entitled: "An Act to repeal Section 74 relating to the per diem and mileage of members of the Legislature."

By Wold, A Bill for an Act entitled: "An Act to provide a method of trying the issues when a claim for exemption is made by the defendant after attachment."

By Wold, A Bill for an Act entitled: "An Act to create a commission to determine the feasibility of establishing a centralized State Accounting System, with instructions to report with recommendations to the 20th Legislative Assembly."

By Akofer, A Bill for an Act entitled: "An Act to provide a method for the determination of the ownership of personal property attaches and claimed by a third party, and repealing Section 9273 of the Revised Codes of Montana of 1921."

By Peterson, A Bill for an Act entitled: "An Act to amend Section 9632 of the Revised Codes of Montana for 1921, being a part of Chapter Forty Five of Part Three of the Code of Civil Procedure relating to the time for appearance of defendant in an action in Justice Court."

By Committee on Livestock and Public Ranges, A Bill for an Act entitled: "An Act to amend Section 3685 of the Revised Codes of Montana of 1921, as amended by Section 4, of Chapter 77 of the Laws of the Eighteenth Legislative Assembly of Montana of 1923, relating to fish and game licenses."

By Committee on Railroads and Transportation, by Hawley, Chairman, A Bill for an Act entitled: "An Act to impose upon transportation companies, as defined in Chapter 154, Laws 1923, and Acts amendatory thereof and supplemental thereto a tax for revenue purposes to defray the cost of constructing and maintaining roads, used and employed by such transportation company."

By Hoffman, A Bill for an Act entitled: "An Act to amend Section 6036 of the Revised Codes of Montana, 1921, as amended by Chapter 9 of the Session Laws of Montana for the year 1923, relating to liability of stock-holders in state banks and providing means for paying and collecting said liability."

By Walker, Hedrick, Moulton, Holton, A Bill for an Act entitled: "An Act to provide for a refund of the license tax imposed by the laws of this state upon motor vehicle fuel bought and used by any person, firm, association, or corporation other than operating motor vehicles or vessels upon the public highways or the rivers or lakes in this state, or the exclusive transportation of rural free delivery mails; providing for the manner of applying for such refund and appropriating money therefor from the State Highway Commission Fund."

Helena, Montana, February 11, 1925

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that H. B. No. 154, by Joffray, and H. B. No. 110, by Burns, were this day read three several times, concurred in, title agreed to, and are herewith returned to the House.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 11, 1925

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Judiciary this day reported as follows:

That H. B. No. 153, by Smith of Lewis and Clark, be not concurred in.

That H. B. No. 165, by Ruffcorn, Besancon, Johnson (Valley), Burns and Brandt, be not concurred in.



That H. B. No. 216, by Smith of Lewis and Clark, and Nagle, be not concurred in.

Reports adopted and bills are herewith returned to the House.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 11, 1925

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that S. B. No. 82, by Committee on Insurance and S. B. No. 45, by McQuitty, were this day read three several times, title agreed to, and are herewith transmitted to the House for concurrence.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 11, 1925

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Notices were this day given:

By Muffly: "An Act to abolish the Fish and Game Commission and repeal all Acts and parts of Acts in conflict therewith."

By Watson: "An Act establishing and defining the boundary line between Lake and Missoula Counties."

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 11, 1925

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day introduced and referred to the Standing Committees:

Senate Sub. for S. B. No. 69, by the Roads and Highways Committee. "An Act to amend Section 1760 of the Revised Codes of Montana, 1921, as amended by Chapter 107 of the laws of the 18th Legislative Assembly of the State of Montana, relating to the registration fees for motor vehicles and the disposition thereof and repealing all Acts and parts of Acts in conflict herewith." Roads and Highways.

S. B. No. 123, by Committee on Education: "An Act providing that the County Treasurer in counties maintaining county high schools shall keep moneys collected for maintenance of county and district high schools in a separate fund and shall not pay out such funds until they are apportioned by the county superintendent and providing for the payment of county high school warrants from certain funds." Education.

S. B. No. 124, by Adams, Oliver, Gilboe. "An Act consolidating the clerkship of the State Board of Examiners with the clerkship of the consolidated boards and requiring the clerk of the State Board of Examiners to perform all of the duties of the Clerk of the Consolidated Boards pertaining to the Board of Pardons, Board of Commissioners for the Insane, and the Board of State Prison Commissioners, and repealing Section 123 of the Revised Codes of Montana of 1921." Finance and Claims.

S. B. No. 125, by Committee on Education. "An Act to provide for a uniform method of distribution to the public schools all state revenues set aside for the public schools except such funds as are derived from the income from state lands." Education.

S. B. No. 126, by Muffly, Buttelman, Hazelbaker. "An Act to provide for the letting of contracts for public printing, fixing the prices therefor, providing for an undertaking for the faithful performance of such contracts, providing a penalty for the violation of this Act, and repealing Section 4482 of the Revised Codes of Montana of 1921." Counties and Towns.

S. B. No. 127, by Committee on Education. "An Act to amend Section 974 of the Revised Codes of Montana, 1921, providing days when the office of County Superintendent of Schools shall be kept open." Education.

Senate Sub. for S. B. No. 2, by Committee on Finance and Claims. "An Act regulating the fiscal management of, fixing the fiscal year for, and controlling and regulating the raising of revenue and the expenditure thereof during each fiscal year by all counties, cities, towns and consolidated cities and counties, and their institutions and agencies; requiring the making and filing of estimates of probable revenues from all sources and proposed expenditures for all purposes during each fiscal year; providing for the making and filing of provisional budgets, for the publication thereof, for public hearings thereon and for the approval and adoption of annual budgets of expenditures to be made for all purposes during each fiscal year; prescribing the manner of paying claims filed after the expiration of the fiscal year; providing for the raising of revenue, in addition to budget estimates and appropriations, by taxation; providing for the payment of warrant indebtedness outstanding at the close of the fiscal year ending June 30th, 1925; providing penalties for the violation of provisions of this Act; and repealing Sections 224, 225, 226, 227, 228, 229, 230, 4631, 5217 and 5218 of the Revised Codes of Montana, 1921." Finance and Claims.

Senate Res. No. 5, by Porter, relating to grazing fees. Public Lands.  
Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 11, 1925

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Standing Committees report as follows:

Committee on Banks and Banking report that H. B. No. 95 be amended and as amended it be concurred in; that H. B. No. 226 be amended and, as amended, it be concurred in; that H. B. No. 224 be amended, and, as amended, it be concurred in.

Committee on Judiciary report that H. B. No. 112 be amended, and, as amended, it be concurred in.

Committee on Banks and Banking report that H. B. No. 228 be amended, and, as amended it be concurred in.

Committee on Labor and Capital report that H. B. No. 186 be concurred in.

Committee on Counties and Towns report that H. B. No. 173 be concurred in; that H. B. No. 172 be concurred in; that H. B. No. 202 be concurred in.

Committee on Taxation report that H. B. No. 34 be concurred in.

Committee on Finance and Claims report that H. B. No. 107 be concurred in.

Committee on Judiciary report that H. B. No. 179 be concurred in.

Committee on Judiciary report that H. B. No. 83 be concurred in.

Committee on Judiciary report that H. B. No. 165 be not concurred in; that H. B. No. 153 be not concurred in; that H. B. No. 216 be not concurred in.

Committee on Finance and Claims report that H. B. No. 211 be referred to Committee on Counties and Towns.

Respectfully,

J. F. CONE, Secretary of Senate.

## INTRODUCTION OF BILLS AND MEMORIALS

The following bill was introduced, read first and second times, by title only, and referred to committee on Townships and Counties.

House Bill No. 381, introduced by McCarty. "A Bill for an Act entitled: "An Act to amend Section 4774 of Chapter 26, Volume 1, Revised Codes of Montana, 1921, relating to the duties of sheriff." Referred to Committee on Townships and Counties.

The following bills were introduced, read first and second times, second time at length, and referred to Committee on Appropriations.

House Bill No. 382, introduced by Committee on Appropriations. A bill for an Act entitled: "An Act to appropriate funds for the payment of certain deficiency claims arising from the operation of various state departments and institutions during the years prior to and closing with June 30th, 1923."

House Bill No. 383, introduced by Committee on Appropriations. A bill for an Act entitled: "An Act to appropriate money for the refund of overpayment of certain taxes, fees, and other collections."

House Bill No. 384, introduced by Committee on Appropriations. A bill for an Act entitled: "An Act appropriating money for the operation and maintenance of certain of the state departments of the State of Montana for the period beginning July 1st, 1925 and ending June 30th, 1927."

House Bill No. 385, introduced by Committee on Appropriations. A bill for an Act entitled: "An Act appropriating money for the maintenance of certain State departments and institutions and for the payment of certain obligations incurred on behalf of certain State Departments and institutions, during the two years from July 1st, 1923 to June 30th, 1925."

### CONSIDERATION OF GENERAL ORDERS

Moved by Ruffcorn, duly seconded and carried, that House now resolve itself into Committee of the Whole for consideration of General Orders.

Mr. Clarke in the chair.

The Committee arose.

Mr. Speaker in the chair.

The Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bills No. 40 and No. 204, respectfully report as follows:

That House Bill No. 40 be referred to Judiciary Committee and when reported back it be placed at head of General Orders and read by title and history and section number only and open to amendment.

That House Bill No. 204 do pass.

CLARKE, Chairman.

On motion of Clarke, report adopted.

The Printing Committee reported as follows:

Mr. Speaker: We, your Committee on Printing, beg leave to report the following bills correctly printed: House Bills 237, 288, 293, 330, Substitute House Bill No. 90. House Joint Memorial No. 4.

FRED W. ZEH, Chairman.

Moved by Loble, duly seconded and carried, that House recess until 3:30 P. M. at which time will be given the Lincoln's Day Program arranged for that time.

### AFTERNOON SESSION

### FOR OBSERVANCE OF LINCOLN DAY

House resumed at 1:30 P. M.

Mr. Speaker in the chair.

Moved by Ruffcorn, duly seconded and carried, that the Speaker appoint a Committee of three to notify the Honorable Senate that the House is ready to receive them in Joint Session.

Mr. Speaker named the following committee: White of Richland, Roy of Hill, Keeley of Powell.

White, Chairman of the Committee reported the duty performed.



The Sergeant at Arms announced that the Honorable Senate was awaiting without.

The Honorable Senate then appeared and was seated among the members of the House.

The Speaker introduced Colonel Richie and Representative Fletcher as the only ones present who personally know Abraham Lincoln, and requested them to have a seat on the Rostrum; which they did.

Mr. Speaker announced that the Loomis Dance Band Orchestra and Entertainers had donated their services.

Representative White introduced Mr. John G. Brown, the speaker of the day, who delivered an address on Abraham Lincoln.

Moved by Ruffcorn, duly seconded and carried, that the Joint Assembly extend a vote of thanks to Mr. John G. Brown and to the Loomis Dance Band Orchestra and Entertainers.

Moved by Senator Hazelbaker, duly seconded and carried, that the Joint Assembly be now dissolved and the Senate retire from the House.

Moved by Ruffcorn, duly seconded and carried, that out of respect for Abraham Lincoln, the House now adjourn until 9:30 A. M. February 13, 1925.

R. C. BRICKER, Speaker.

Attest: H. J. FAUST, Chief Clerk.

## FORTIETH DAY

House of Representatives  
Helena, Montana, February 13, 1925

House met pursuant to adjournment at 9:30 A. M.

Mr. Speaker in the chair.

Prayer by the Chaplain.

On Roll Call all present except: Lemmon, excused on account of sickness; Fox, excused on account of death of his father; and Campbell, absent.

The Committee on Journal reported as follows:

Mr. Speaker: We, your Committee on Journal, have this day examined the Journal for the 39th Legislative Day and found the same correct.

PARKIN, Vice Chairman.

On motion of Parkin, report adopted.

The Committee on Engrossing reported as follows:

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 238, 168, 256, 247, 197, 145. House Memorial No. 3.

BERRYMAN, Chairman.

The Committee on Rules reported as follows:

Mr. Speaker: We, your committee on Rules, hereby recommend that Rule No. 32 be suspended this day and for the remainder of the Session.  
Committee on Rules,

WOLD, Chairman.

On motion of Hanson, report adopted.

## REPORTS OF STANDING COMMITTEES

The following reports were received from Standing Committees:

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 349, introduced by James T.

Fitzgerald, Keer Beadle, Michael Mulholland, respectfully report as follows: That House Bill No. 349 be printed and placed on General Orders.

DONALDSON, Chairman.

On motion of Parkin, report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 257, introduced by Cusick, respectfully report as follows: That House Bill No. 257 do not pass for the reason that the subject matter contained in this Bill has been incorporated with House Bill No. 305, introduced by Moss and Zeh.

DONALDSON, Chairman.

On motion of Donaldson, report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 305, introduced by Moss and Zeh, respectfully report as follows: That House Bill No. 305 be amended as follows:

1. By inserting in the title to the Bill in line 2 thereof after the figures "1921" the words "as amended by Chapter 95 of the laws of the Eighteenth Legislative Assembly."

2. By inserting in line 1 of Section 1 after the figures "1921" the words "as amended by Chapter 95 of the laws of the Eighteenth Legislative Assembly."

3. By striking out the period at the end of sub-division 2 of Section 1 and inserting in lieu thereof the words "by consolidation of two or more townships or otherwise."

4. By striking out in sub-division 21 of Section 1 beginning with line 84 the words "the full and complete minutes and record of all its proceedings and to cause to be published annually the county clerk's annual statement of the financial condition of the county; provided" and inserting in lieu thereof the following: "a full and complete list of all claims ordered paid for all purposes showing name, purpose and amount and all other minutes and record of all its proceedings and cause to be published annually the county clerk's annual statement of the financial condition of the county; provided it shall not be necessary to publish all resolutions and orders at length but the board must cause a fair summary of such resolutions and orders to be published; and provided further"; and, as so amended, that the Bill do pass.

DONALDSON, Chairman.

On motion of Donaldson, report adopted.

Mr. Speaker: We, your committee on Printing, having had under consideration House Bill No. 376, introduced by Rupert, respectfully report as follows: That House Bill No. 376 be amended as follows:

After the word "made" in line 31, Section 1, insert the words "for rule and figure work two dollars per folio of one hundred words or fraction thereof, and fifty cents per folio of one hundred words for each subsequent insertion thereof, required by law to be made."

As amended do pass.

ZEH, Chairman.

On motion of Zeh, report adopted.

Mr. Speaker: We, your Committee on Livestock and Public Ranges, having had under consideration Senate Bill No. 53, introduced by Stock and Grazing Committee, respectfully report as follows: That Senate Bill No. 53 be concurred in.

LEAVENS, Chairman.

On motion of Leavens, report adopted.

Mr. Speaker: We, your Committee on New Counties and Divisions, having had under consideration House Bill No. 264, introduced by Hanson, respectfully report as follows: That House Bill No. 264 do not pass.

SCHOENING, Chairman.

On motion of Schoening, report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 313, introduced by Fairgrieve, respectfully report as follows: That House Bill No. 313 be reported out without recommendation other than it be printed and placed on General Orders.

TROY, Chairman.

On motion of Troy, report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 98, introduced by Graybill, respectfully report as follows: That House Bill No. 98 do not pass.

TROY, Chairman.

On motion of Troy, report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 319, introduced by Loble and Keeley, respectfully report as follows: That House Bill No. 319 do not pass.

TROY, Chairman.

On motion of Troy, report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 222, introduced by Kelly, respectfully report as follows: That House Bill No. 222 do pass.

TROY, Chairman.

On motion of Troy, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 315, introduced by Plank, respectfully report as follows: That House Bill No. 315 be amended as follows:

By adding the word "thereon" after the word "recovered" in line 7, Section 1; and by adding the words "The undertakings herein mentioned are not entitled to be filed or recorded in the office of the County Clerk and Recorder" at the end of Section 1.  
and as amended do pass.

BURNS, Chairman.

On motion of Burns, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 317, introduced by Holt, respectfully report as follows: That House Bill No. 317 do pass.

BURNS, Chairman.

On motion of Burns, report adopted.

#### INTRODUCTION OF BILLS AND MEMORIALS

The following bills were introduced, read first and second times, by title only, except those bills referred to Committee on Appropriations which were read second time at length, and referred to the following Committees.

House Bill No. 386, introduced by Committee on Dairying. A Bill for an Act entitled: "An Act to amend Section 3282 of the Revised Codes of Montana of 1921, as amended by Section 11 of Chapter 35 of the Session Laws of the Eighteenth Legislative Assembly, relating to the licenses for producers of Dairy Products and providing for permits to operate dairies." Referred to Committee on Dairying.

House Bill No. 387, introduced by Fairgrieve. A Bill for an Act entitled: "An Act to amend Section 1094 of the Revised Codes of Montana of 1921 as amended by Section 8 of Chapter 131 of the Session Laws



of the Eighteenth Legislative Assembly, relating to the Academic and Professional Preparations required as prerequisites for issuance of Teacher's Certificates." Referred to Committee on Education.

House Bill No. 388, introduced by Fox. A Bill for an Act entitled: "An Act requiring the Attorney General of the State of Montana to prescribe certain blank forms to be used by the clerks of the district courts in issuing commitment to State Institutions." Referred to Committee on Judiciary.

House Bill No. 389, introduced by Committee on Waterways and Navigation. A Bill for an Act entitled: "An Act defining and providing for the inspection of water craft; providing for the appointment and qualification of an inspector and compensation for his services; providing for examination and licensing of captains and pilots; prescribing certain standards of safety and certain rules for navigation; providing for the issuance of safety certificates and the revocation thereof; fixing fees for inspection and examination; providing penalties for violation of the Act and repealing Chapter 259 Revised Codes of Montana, 1921, and Chapter 105 Laws of the 18th Session." Referred to Committee on Waterways and Navigation.

House Bill No. 390, introduced by Nelstead. A Bill for an Act entitled: "An Act to amend Section 1 of Chapter 154, of the Session Laws of the State of Montana of 1923 relating to the supervision and regulation of the transportation of persons and property for compensation over any public highway in the State of Montana by motor vehicles, motor trucks, motor busses, bus-trailers, semi-trailers and other motor vehicles; defining what constitutes transportation for compensation; defining transportation companies, and providing for the supervision and regulation thereof by the Railroad Commission of Montana; providing for the enforcement of this Act and punishment for violation thereof and declaring an emergency." Referred to Committee on Railroads and Transportation.

House Bill No. 391, introduced by Nelstead. A Bill for an Act entitled: "An Act amending Section 1704 of the Revised Codes of the State of Montana of 1921, relating to the levy and collection of special bridge tax." Referred to Committee on Revenue and Taxation.

House Bill No. 392, introduced by Harris. A Bill for an Act entitled: "An Act to amend Section 663 of the Revised Codes of Montana of 1921, relating to the selection of a National Committeeman and Committee Woman by political parties." Referred to Committee on Privileges and Elections.

House Bill No. 393, introduced by Committee on Waterways and Navigation. A Bill for an Act entitled: "An Act to repeal Chapter 105 of the Laws of the 18th Session, entitled: 'An Act to amend Sections 3859 and 3875 of the Revised Codes of Montana, 1921, relating to the inspection of water craft, appointment of inspectors and their compensation, and inspection and license fees.'" Referred to Committee on Waterways and Navigation.

House Bill No. 394, introduced by Peat, Donaldson, and Reed. A Bill for an Act entitled: "An Act legalizing and authorizing the use by county treasurers in the counties of the State of Montana of posting machines for extension on tax registers of taxes collected, and of Loose Leaf Binders for the preservation of the record so made." Referred to Committee on Townships and Counties.

House Bill No. 395, introduced by Committee on Education, by Hawley, Vice Chairman. A Bill for an Act entitled: "An Act to establish the Eastern Montana State Normal School: Defining its objects; designating the manner of its Location; providing for the control, supervision and management thereof, amending Section 841 of the Revised Codes of Montana, 1921, so as to place the institution under the control of the State Board of Education, providing for a commission to select a site and location for the said school." Referred to Committee on Education.

House Bill No. 396, introduced by Committee on Livestock and Public Ranges. A Bill for an Act entitled: "An Act to amend Section 3685 of the Revised Codes of Montana of 1921, as amended by Section 4, of Chapter 77 of the Laws of the Eighteenth Legislative Assembly of Montana of 1923, relating to fish and game licenses." Referred to Committee on Livestock and Public Ranges.

House Bill No. 397, introduced by Wold. A Bill for an Act entitled: "An Act to provide a method of trying the issues when a claim for exemption is made by the defendant after attachment." Referred to Committee on Judiciary.

House Bill No. 398, introduced by Nagle. A Bill for an Act entitled: "An Act authorizing George A. Rietz to file with the State Board of Examiners his claim against the State of Montana for compensation for injuries received by the said George A. Rietz while a student enrolled in the University of Montana, by reason of having fallen in an unmarked, unlighted and unguarded elevator shaft in the dormitory known as "South Hall" at the said University of Montana at Missoula, and authorizing said State Board of Examiners to hear, audit and determine the said claim of George A. Rietz, and making an appropriation to pay any such claim of said George A. Rietz which the said State Board of Examiners may approve and allow." Referred to Committee on Appropriations.

House Bill No. 399, introduced by Hoffman, by request. A Bill for an Act entitled: "An Act to amend Section 6036 of the Revised Codes of Montana, 1921, as amended by Chapter 9, of the Session Laws of Montana for the year 1923, relating to the liability of stockholders in State Banks and providing means for paying and collecting said liability." Referred to Committee on Banks and Banking.

House Bill No. 400, introduced by Hoffman, by request. A Bill for an Act entitled: "An Act to amend Section 6036 of the Revised Codes of Montana, 1921, as amended by Chapter 9 of the Session Laws of Montana for the year 1923, relating to the liability of stockholders in State Banks and providing means for paying and collecting said liability." Referred to Committee on Banks and Banking.

House Bill No. 401, introduced by Peterson. A Bill for an Act entitled: "An Act to amend Section 9632 of the Revised Codes of Montana, 1921, being a part of Chapter Forty Five of part Three of the Code of Civil Procedure relating to the time for appearance of defendant in an action in Justice Court." Referred to Committee on Judiciary.

House Bill No. 402, introduced by Akofer. A Bill for an Act entitled: "An Act to provide a method for the determination of the ownership of property attached and claimed by a third party, and repealing Section 9273 of the Revised Codes of Montana, 1921." Referred to Committee on Judiciary.

House Bill No. 403, introduced by Committee on State Lands. A Bill for an Act entitled: "An Act to amend Chapter 10 of the Session Laws of 1923; providing for the Amortization plan of payment for State Lands; setting forth the contents of certificates of purchase; authorizing certificates of purchase now outstanding to be converted into new amortization certificates and amending and re-enacting Sections 1860 and 1861 of the Revised Codes of Montana, 1921; by changing the initial payment from 15% to 10% payment." Referred to Committee on State Lands.

House Bill No. 404, introduced by Joffray. A Bill for an Act entitled: "An Act to amend Section 1062, of the Revised Codes of Montana, 1921, relating to legal holidays in schools and days of observance. Referred to Committee on Education.

House Bill No. 405, introduced by Joffray. A Bill for an Act entitled: "An Act to exempt persons engaged in transportation of United States Mail, from the payment of gasoline tax and automobile license tax." Referred to Committee on Ways and Means.



House Bill No. 406, introduced by Committee on Revenue and Taxation. A Bill for an Act entitled: "An Act to amend Sections 2089 and 2090 of the Revised Codes of Montana of 1921, relating to the statement of gross yield of mines and net proceeds. How computed." Referred to Committee on Revenue and Taxation.

House Bill No. 407, introduced by Gordon and Tinsley. A Bill for an Act entitled: "An Act to amend Section 1252 Revised Codes of Montana of 1921, relating to petition by qualified electors who are tax payers to authorize the voting upon the issuance of any school, town, city or county bonds, and requiring the holding of such election upon the filing of such petition." Referred to Committee on Privileges and Elections.

House Bill No. 408, introduced by Eaton, by request. A Bill for an Act entitled: "An Act to amend Section 1075 of the Revised Codes of Montana of 1921, relating to employment of teachers and tenure of office." Referred to Committee on Education.

House Bill No. 409, introduced by Committee on Banks and Banking. A Bill for an Act entitled: "An Act to amend Section 6059 of the Revised Codes of Montana, 1921, relating to the limitation of loans." Referred to Committee on Banks and Banking.

House Bill No. 410, introduced by Graybill. A Bill for an Act entitled: "An Act for the submission to the qualified electors of the State of Montana of an amendment to Section 2 of Article IX of the Constitution of the State of Montana, relating to the qualification of electors."

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF MONTANA:

Section 1. That Section 2 of Article IX of the Constitution of the State of Montana be amended as hereinafter provided and that the question of said amendment be submitted to the qualified electors of the State of Montana at the next general election.

Section 2. That Section 2 of Article IX of the Constitution of the State of Montana be, and the same is hereby amended to read as follows:

"Section 2. Every person of the age of twenty-one years or over, possessing the following qualifications shall be entitled to vote at all general elections and for all officers that now are or hereafter may be elected by the people and upon all questions which may be submitted to the vote of the people: First, he shall be a citizen of the United States; Second, he shall have resided in this State one year immediately preceding the election at which he offers to vote and in the town, county or precinct such time as may be prescribed by law; provided, first, that no person convicted of felony shall have the right to vote unless he has been pardoned; provided, second, that nothing herein contained shall be construed to prevent limiting the right of suffrage in all cases to those who can read and write the English language."

Section 3. Separate official ballots shall be provided at the next general election to be held in November, 1926, which shall have printed thereon all of Section 2, Article IX of the Constitution of the State of Montana, as amended by this Act and below the same shall be printed the following:

—————For the above amendment to the Constitution.

—————Against the above amendment to the Constitution.

Each elector shall designate his preference by marking an X in the section before which such elector desires to vote.

Section 4. Votes cast for and against the amendment above proposed shall be canvassed, determined and declared as provided by the general laws of the State of Montana.

Section 5. All Acts and parts of Acts in conflict herewith are hereby repealed.

Section 6. This Act shall take effect and be in full force from and after its passage and approval.



Referred to Committee on Constitutional Amendments.

House Bill No. 411, introduced by Gordon, by request: A Bill for an Act entitled: "An Act to amend Section 1204, Revised Codes of Montana of 1921, relating to the apportionment of school moneys." Referred to Committee on Education.

House Resolution No. 3, introduced by Gordon:

"Whereas, The death of Henry Wallace has made necessary the appointment by the President of a new Secretary of Agriculture, perhaps the most important position in the cabinet during the present times; and

Whereas, We feel that this position demands a man of the broadest vision and highest degree of business ability and one who views agriculture from the standpoint of world conditions; and

Whereas, We understand that Thomas D. Campbell of Montana is being considered for this most important position in the cabinet; and

Whereas, Thomas D. Campbell has the unqualified confidence of the House of Representatives and the people of Montana; therefore

Be It Resolved, By the House of Representatives of the Nineteenth Legislative Assembly that it unreservedly recommend to President Coolidge that he appoint the said Thomas D. Campbell to the position of Secretary of Agriculture; and

Be It Further Resolved, That a copy of this Resolution be transmitted by telegraph to the President of the United States.

Referred to Committee on Development and Publicity.

## CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

The following message was received from the Governor:

Helena, Montana, February 12, 1925.

The Speaker, House of Representatives,

Helena, Montana.

I have the honor to advise you that I have this day approved the following measures:

H. B. No. 3—Relating to the preparation and publication of the State Treasurer's quarterly report.

H. B. No. 137—Relating to the assessment of railroads.

J. E. ERICKSON, Governor.

Moved by Kennedy, duly seconded and carried, that messages from the Senate be considered read at length and the Journal so show.

The following messages were received from the Senate:

Helena, Montana, February 12, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day referred to the Standing Committees:

H. B. No. 200—Horticulture.

H. B. No. 220—Irrigation.

H. B. No. 260—Counties and Towns.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 12, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee of the Whole, having had under consideration business on General File, report as follows:

That consideration of S. B. No. 47 be passed for the day.

That S. B. No. 59 be amended by striking out the enacting clause.

That consideration of S. B. No. 60 be passed for the day.

That S. B. No. 72 do pass.

That S. J. R. No. 6 do pass.

Report adopted.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 12, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Standing Committees reported as follows:

That H. B. No. 178, by Smith of Lewis and Clark, be not concurred in.

That H. B. No. 227, by Committee on Banks and Banking, be not concurred in.

Reports adopted and bills are herewith returned to the House.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 12, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Standing Committees have this day reported as follows:

Committee on Banks and Banking report that H. B. No. 243 be concurred in as amended.

Committee on Finance and Claims report that H. B. No. 174 be concurred in as amended.

Committee on Agriculture report that H. B. No. 208 be concurred in.

Committee on Education report that H. B. No. 191 be concurred in.

Committee on Sanitary Affairs report that S. B. No. 71 be re-referred to the Judiciary Committee.

Committee on Agriculture report that H. B. No. 119 be re-referred to Committee on Finance and Claims.

Committee on Agriculture report that H. B. No. 82 be re-referred to Stock Growing and Grazing Committee.

Committee on Banks and Banking report that H. B. No. 227 be not concurred in.

Committee on Judiciary report that H. B. No. 178 be not concurred in.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 12, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following notices were this day given:

By Cowan: "An Act to permit the organization of irrigation districts by the owners of water-rights, having a common source of supply and a single intake from such common source of supply, for the purposes of operation and administration of said system, without the necessity of the acquisition by such irrigation district of the existing water rights, system or works owned by the respective water right owners within the district, and conferring on such districts, the powers, duties and status of public corporations organized under the irrigation district laws of the State of Montana."

By Pauline: "An Act detaching certain territory from the County of Lake and annexing the same to the County of Flathead and establishing and defining the boundary line between said counties."

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 12, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following notices were this day given:

By McCormick: "An Act to amend Section 1759 of the Revised Codes of Montana of 1921, relating to registration and re-registration of motor vehicles."

By Dell: "An Act relating to encumbrances against real property, prohibiting same under certain circumstances and providing penalties for the violation of this Act."

By Page: "An Act amending Section 3653 of Chapter 255, of the Revised Codes of 1921, relating to the powers and duties of the Fish and Game Commission."

By Pauline: "An Act to amend Section 1282 of the Revised Codes of 1921, as amended by Chapter 19 of the Laws of the Eighteenth Legislative Assembly, relating to attendance at County High Schools."

By Stewart: "An Act to amend Section 12427 of the Revised Codes of Montana of 1921, relating to fugitives from the State Accounts."

By Church: "An Act providing for the submission to the qualified voters of any county of the question as to whether under certain conditions pari-mutuel or totalizing machines shall be permitted in said county providing for the manner of holding said election and the ballots be used thereto and providing a place wherein said pari-mutuel or totalizing machines may be used and repealing all Acts and parts of Acts in conflict herewith."

By Clark: "An Act authorizing the furnishing of necessary medical, dental, surgical and other treatment to inmates of the State Insane Asylum, the performance of autopsies on the bodies of indigent inmates whose death occurs at the state institution; amending Sections 1421, 1429 and 1452 of the Revised Codes of Montana of 1921, relating to the commitment, discharge, parole and deportation of patients committed to said asylum and repealing Sections 1422, 1423, 1424, 1425 and 1426 of the Revised Codes of Montana of 1921, relating to postal regulations in said asylum."

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 12, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following bills were this day introduced and referred to the standing committees:

S. B. No. 128, by Oliver: A Bill for an Act entitled: "An Act to amend Section 1755, Chapter 135, of the Revised Codes of Montana of 1921, as amended by Chapter 107 of the laws of the Eighteenth Legislative Assembly, relating to the registrar of motor vehicles, motor dealers, and of chauffeurs, and providing for deputy and his salary and bond of the registrar and transfer of all books, records, files and office equipment." Referred to Committee on Roads and Highways.

S. B. No. 129, by Committee on Education: A Bill for an Act entitled: "An Act prescribing the qualifications of county superintendents of schools and fixing their salaries and repealing Sections 4869, 4870 and 4871 of the Revised Codes of Montana of 1921, and all other Acts and parts of Acts in conflict herewith." Referred to Committee on Education.

S. B. No. 130, by Rhoads: A Bill for an Act entitled: "An Act for the submission to the qualified electors of the State of Montana of an amendment to Sections 2, 4, 5 and 6 of Article V and Article VI of the constitution of the State of Montana by striking therefrom all of Sections 2, 3, 4, 5 and 6 relating to the number, election and certification of senators and members of the House of Representatives and the sessions of the Legislative Assembly." Referred to Committee on Constitutional amendments.

S. B. No. 131, by McQuitty: A Bill for an Act entitled: "An Act relating to the submission at elections, by counties, cities, towns and school districts, of propositions concerning the creating or incurring of indebtedness, increasing existing indebtedness, borrowing money, issuing bonds and levying taxes." Referred to Committee on Finance and Claims.



S. B. No. 132, by Watson: A Bill for an Act entitled: "An Act establishing and defining the boundary lines between Lake and Missoula counties." Referred to Committee on New Counties and Divisions.

S. B. No. 133, by Smith: A Bill for an Act entitled: "An Act to amend Section 221 of the Revised Codes of Montana of 1921, as amended by Chapter 13, Laws of the Eighteenth Legislative Assembly, providing the fees to be paid by building and loan associations for examination by the state examiner." Referred to Committee on Finance and Claims.

S. B. No. 134, by Paul of Committee on Finance and Claims: A Bill for an Act entitled: "An Act to amend Section 4622, Revised Codes of 1921, as amended by Chapter 21, Session Laws of 1923, relating to county bonds." Referred to Committee on Finance and Claims.

By Hazelbaker: S. R. No. 6, relative consideration of William M. Jardine for the position of Secretary of Agriculture of the United States. Adopted.

Senate Joint Resolution No. 8, introduced by Griffin: A joint resolution relating to reimbursing the land grant income and investment funds for moneys unlawfully taken therefrom for the expenses of the State land office, with interest for the years 1894 to 1924, inclusive, and to return from the general fund interest earned on the permanent school fund for the years 1907 to 1924 inclusive, and to provide for the refunding and payment thereof." Finance and Claims.

Respectfully,

J. F. CONE, Secretary of Senate.

There being no objections, House reverted to Order of Business No. 4:

#### REPORTS OF STANDING COMMITTEES

The following reports from Standing Committees were received:

Mr. Speaker: We, your Committee on Insurance, having had under consideration House Bill No. 368, introduced by the Committee on Insurance, respectfully report as follows: That said House Bill No. 368 do pass.

PEAT, Vice Chairman.

On motion of Peat, report adopted.

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration House Bill No. 59, by Flachsenhar and McAfee, respectfully report as follows: That House Bill No. 59, do not pass, but that Substitute House Bill No. 59, introduced by the Committee on Privileges and Elections, being: A Bill for an Act entitled: "An Act to amend Section 651 of the Revised Codes of Montana of 1921, as amended by Chapter 133 of the Laws of the Eighteenth Legislative Assembly, relating to the arrangement, printing and voting of ballots at Primary elections," do pass.

HARRIS, Chairman.

On motion of Harris, report adopted.

#### INTRODUCTION OF BILLS AND MEMORIALS

The following bills were introduced, read first and second times, by title only and referred to committees as follows, except bills referred to Appropriations Committee which were read at length second time.

House Bill No. 412, introduced by Fitzgarrald and Strange: A Bill for an Act entitled: "An Act to amend Sections 1999 and 2000 of the Revised Codes of Montana of 1921, relating to the classification of taxable property." Referred to Committee on Ways and Means.

House Bill No. 413, introduced by Fitzgerald: A Bill for an Act entitled: "An Act to amend Section 1861-A of the Laws of Montana, 1923, of the Eighteenth Legislative Assembly relating to the purchase of state lands, the certificate of purchase therefor, and the duties of the register of state lands." Referred to State Lands.

House Bill No. 414, introduced by Fitzgarrald and Strange: A Bill for an Act entitled: "An Act to amend Section 1760 of the Revised Codes of Montana of 1921, as amended by Chapter 107 of the Eighteenth Legislative Assembly, relating to the registration fees of motor vehicles and the disposition thereof, and repealing all Acts and parts of Acts in conflict therewith." Referred to Revenue and Taxation.

House Bill No. 415, introduced by Fitzgerald, Beadle, and Mulholland: A Bill for an Act entitled: "An Act to repeal Section 11084 of the Penal Code, Revised Codes of Montana, 1921, as amended by the Laws of 1923, of the Eighteenth Legislative Assembly of the State of Montana, relating to law enforcement fund; and to repeal Section 11085 of the Penal Code, Revised Codes of Montana, 1921, relating to appointment, oath, and removal of special officers." Referred to Appropriation.

House Bill No. 416, introduced by Fitzgarrald and Strange: A Bill for an Act entitled: "An Act to amend Sections 2382, 2383 and 2392 of the Revised Codes of Montana of 1921, as amended by Chapter 150 of the Laws of the Eighteenth Legislative Assembly, relating to the imposition of the tax upon gasoline, the collection and disposition thereof, and providing for the refunding of taxes paid in certain cases." Referred to Revenue and Taxation.

House Joint Resolution No. 10, introduced by Fitzgarrald, McAfee, Strange: "A Resolution designating the tax commission of the State of Montana and the State Forester as a committee to investigate and report on a policy of timber assessment for Montana." Referred to Conservation of Resources.

House Bill No. 417, introduced by Nagle: A Bill for an Act entitled: "An Act providing for a penalty for issuing a summons, execution or other paper, excepting subpoena, by Justice of the Peace, leaving blanks to be filled in by another." Referred to Judiciary.

House Bill No. 418, introduced by Loble, by request: A Bill for an Act entitled: "An Act to amend Section 5383 of the Revised Codes of Montana, 1921, relating to the powers and duties of the city council under the commission form of government." Referred to Affairs of Cities.

The Printing Committee reported as follows:

Mr. Speaker: We, your Committee on Printing, beg leave to report the following bills correctly printed:

House Bills 189, 159.

FRED W. ZEH, Chairman.

### THIRD READING OF HOUSE BILLS

House Bill No. 238, introduced by Committee on Revenue and Taxation, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Caplis, Castles, Clarke, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Flynn, Graybill, Green, Hanson, Hardcastle, Harris, Hawley, Higham, Holt, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Kelly, Kennedy, Kinville, Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Loble, Masters, Meagher, Merritt, Miller, Moriarity, Morris, Moss, Mulholland, Murphy, McAfee, McGrath, Nagle, Nelson, Nestead, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Reed, Ruffcorn, Rupert, Ryder, Sales, Shields, Smith (Lewis and Clark), Steeves, Stoddard, Strange, Throssel, Tinsley, Troy, Waite, White, Wuerthner, Zeh, Mr. Speaker. Total—84.

Noes: None.

Absent and not voting: Campbell, Cusick, Fox, Gordon, Hedrick, Hoffman, Keeley, Larson (Cascade), Lemmon, Moulton, McCarty, Rice, Schoening, Smith (Beaverhead), Walker, Walton, Wold. Total—17.



House Bill No. 145, introduced by Committee on Irrigation and Water Rights, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Budas, Burns, Caplis, Castles, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgerald, Flachsenhar, Fletcher, Flynn, Gordon, Graybill, Green, Hanson, Hardcastle, Harris, Hawley, Higham, Holt, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Kelley, Kennedy, Kinville, Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Loble, Masters, Merritt, Miller, Moriarity, Morris, Moss, Mulholland, Murphy, McAfee, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Reed, Rice, Rupert, Ryder, Sales, Schoening, Shields, Smith (Lewis and Clark), Steeves, Stoddard, Strange, Throssel, Tinsley, Waite, Walker, Walton, White, Wold, Zeh, Mr. Speaker. Total—85.

Noes: None.

Absent and not voting: Brandt, Campbell, Fitzgarrald, Fox, Hedrick, Hoffman, Keeley, Larson (Cascade), Lemmon, Meagher, Moulton, McCarty, Ruffcorn, Smith (Beaverhead), Troy, Wuerthner. Total—16.

House Bill No. 168, by Plumer, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Caplis, Castles, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Eaton, Fairgrieve, Fitzgerald, Flachsenhar, Fletcher, Flynn, Gordon, Graybill, Green, Hanson, Hardcastle, Harris, Hawley, Higham, Holt, Holton, Joffray, Johnson (Valley), Kelly, Kennedy, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Loble, Masters, Merritt, Miller, Moriarity, Morris, Moulton, Mulholland, Murphy, McAfee, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Reed, Rice, Rupert, Ryder, Sales, Schoening, Shields, Smith (Lewis and Clark), Steeves, Smith (Beaverhead), Strange, Throssel, Tinsley, Troy, Waite, Walker, Walton, White, Wold, Zeh, Mr. Speaker. Total—85.

Noes: None.

Absent and not voting: Campbell, Duncan, Fitzgarrald, Fox, Hedrick, Hoffman, Johnson (Fergus), Keeley, Kinville, Lemmon, Meagher, Moss, McCarty, Ruffcorn, Stoddard, Wuerthner. Total—16.

House Bill No. 256, by Committee on Irrigation, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Castles, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Flynn, Gordon, Graybill, Green, Hanson, Hardcastle, Harris, Hawley, Higham, Holt, Holton, Joffray, Johnson (Valley), Kelly, Kennedy, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Lincoln, Masters, Merritt, Miller, Moriarity, Morris, Moss, Moulton, Mulholland, Murphy, McAfee, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Reed, Rice, Rupert, Ryder, Sales, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Tinsley, Troy, Waite, Walton, White, Zeh, Mr. Speaker. Total—84.

Noes: None.

Absent and not voting: Campbell, Caplis, Fox, Hedrick, Hoffman, Johnson (Fergus), Keeley, Kinville, Leavens, Lemmon, Loble, Meagher, McCarty, Ruffcorn, Walker, Wold, Wuerthner. Total—17.

House Bill No. 247, by Committee on Banks and Banking, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Burns, Castles, Clarke, Cusick, Davis, Dellwo,



Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Flynn, Gordon, Green, Hanson, Hardcastle, Harris, Hawley, Higham, Hoffman, Holt, Holton, Joffray, Johnson (Valley), Kelly, Kennedy, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Loble, Meagher, Merritt, Miller, Moriarity, Morris, Moss, Moulton, Mulholland, Murphy, McAfee, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Reed, Rice, Ruffcorn, Rupert, Ryder, Sales, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Tinsley, Troy, Waite, Walton, White, Wold, Zeh, Mr. Speaker. Total—86.

Noes: Plumer. Total—1.

Absent and not voting: Budas, Campbell, Caplis, Fox, Graybill, Hedrick, Johnson (Fergus), Keeley, Kinville, Lemmon, Masters, McCarty, Walker, Wuerthner. Total—14.

House Bill No. 197, by Committee on Ways and Means, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Berryman, Besancon, Brandt, Budas, Burns, Castles, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Gordon, Graybill, Green, Hanson, Hardcastle, Harris, Hawley, Higham, Hoffman, Holt, Holton, Joffray, Johnson (Valley), Kelly, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Lincoln, Loble, Masters, Meagher, Merritt, Miller, Moriarity, Morris, Moss, Mulholland, Murphy, McAfee, McGrath, Nagle, Nelstead, Parkin, Patterson, Peterson, Plank, Plumer, Reed, Rice, Ruffcorn, Rupert, Ryder, Sales, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Tinsley, Waite, Walker, Walton, White, Wold, Zeh, Mr. Speaker. Total—83.

Noes: None.

Absent and not voting: Bergstrom, Campbell, Caplis, Flynn, Fox, Hedrick, Johnson (Fergus), Keeley, Kennedy, Kinville, Leavens, Lemmon, Moulton, McCarty, Nelson, Peat, Troy, Wuerthner. Total—18.

House Memorial No. 3, by Burns, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Castles, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Gordon, Graybill, Green, Hanson, Harris, Higham, Hoffman, Holt, Joffray, Johnson (Valley), Kelly, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Masters, Meagher, Merritt, Miller, Morris, Moss, Moulton, Mulholland, Murphy, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Rice, Ruffcorn, Rupert, Ryder, Sales, Schoening, Shields, Smith (Beaverhead), Steeves, Strange, Throssel, Tinsley, Troy, Waite, Walker, Walton, White, Zeh, Smith (Lewis and Clark), Mr. Speaker. Total—79.

Noes: None.

Absent and not voting: Akofer, Campbell, Caplis, Flynn, Fox, Hardcastle, Hawley, Hedrick, Holton, Johnson (Fergus), Keeley, Kennedy, Lemmon, Loble, Moriarity, McAfee, McCarty, Plumer, Reed, Stoddard, Wold, Wuerthner. Total—22.

#### CONSIDERATION OF GENERAL ORDERS

Moved by Ruffcorn, duly seconded and carried, that House resolve itself into Committee of the Whole for consideration of General Orders and that debate be limited to five minutes to the introducer of any bill and to three minutes to others.

Mr. Clarke in the chair.

Committee arose.

Mr. Speaker in the chair.

Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bill No. 2, respectfully report as follows: That House Bill No. 2, the enacting clause be stricken out.

CLARKE, Chairman.

Moved by Clarke, duly seconded, that report be adopted.

Question arising on motion, roll call having been demanded, the motion carried by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Bergstrom, Besancon, Brandt, Budas, Burns, Caplis, Castles, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Flachsenhar, Fletcher, Gordon, Graybill, Green, Hanson, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Johnson (Fergus), Johnson (Valley), Kennedy, Kinville, Larson (Cascade), Leavens, Lincoln, Loble, Masters, Miller, Moriarity, Morris, Moss, Moulton, Murphy, McAfee, McCarty, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Reed, Rice, Ruffcorn, Rupert, Ryder, Sales, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Stoddard, Strange, Tinsley, Troy, Waite, Walker, Walton, White, Wold, Wuerthner, Zeh. Total—79.

Noes: Beadle, Berryman, Fitzgerald, Larsen (Sheridan), Larson (Sheridan), Merritt, Mulholland, Plumer, Steeves, Throssel. Total—10.

Absent and not voting: Andrus, Campbell, Flynn, Fox, Hardcastle, Joffray, Keeley, Kelly, Lemmon, Meagher, Shields. Total—12.

At request of Ruffcorn, there being no objections, House reverted to Order of Business No. 5:

## INTRODUCTION OF BILLS AND MEMORIALS

The following bills were introduced, read first and second times by title only and referred to committees as follows, except bills referred to Appropriations Committee, which were read second time at length:

House Bill No. 419, introduced by Robert Larson: A Bill for an Act entitled: "An Act to prohibit the operation of public eating places in rooms in which other lines of business are carried on with some exceptions, and providing penalties for the violation thereof." Referred to Public Health and Sanitary Affairs.

House Bill No. 420, introduced by Campbell: A Bill for an Act entitled: "An Act enacting, adding to and inserting in Chapter 121, Session Laws of the Eighteenth Legislative Assembly relating to merging of the corporate existence and government of any county in the State and of all the cities and towns situated therein into one municipal corporation and government, a new section to be designated Section 57-A, to provide for levy of special taxes in specially created districts therein." Referred to Townships and Counties.

House Bill No. 421, introduced by Committee on Revenue and Taxation: A Bill for an Act entitled: "An Act to provide for levying, assessing, collecting and paying of a tax on the amount paid for admission to any theater, opera, public dance hall, or other place of amusement or entertainment, to be paid by the person paying for such admission; providing what admissions shall be exempt from such tax; prescribing the method of collecting and paying such tax; providing for returns thereof to the State Board of Equalization; providing for the disposition of such tax; declaring a violation of this Act a misdemeanor and prescribing the penalty therefor." Referred to Revenue and Taxation.

House Bill No. 422, introduced by Walker, Hedrick, Moulton and Holton: A Bill for an Act entitled: "An Act to provide for a refund of the license tax imposed by the laws of this State upon motor vehicle fuel bought and used by any person, firm, association or corporation for purpose other than operating motor vehicles or vessels upon the public highways or the rivers



or lakes in this State or the exclusive transportation of rural free delivery mails; providing the manner of applying for such refund and appropriating money therefor from the State Highway Commission fund." Referred to Appropriations.

House Bill No. 423, introduced by Stoddard, by request: A Bill for an Act entitled: "An Act to amend Section 5238 of the Revised Codes of Montana of 1921, relating to special improvements by omitting from said section the provisions thereof requiring railways and street railways to pay a part of the cost of paving and by inserting, in lieu, a provision requiring railways and street railways using or occupying paved streets to repair all damage to such streets caused by them." Referred to Affairs of Cities.

Moved by Hanson, duly seconded and carried, that House recess until 2:30 P. M.

#### AFTERNOON SESSION

House resumed at 2:30 P. M.

Mr. Speaker in the chair.

Printing Committee reported as follows:

Mr. Speaker: We, your Committee on Printing, beg leave to report the following bills correctly printed:

House Bills 58, 78, 144, 163, 190, 201, 232, 236, 258, 267, 287, 294 and 331.  
House Joint Resolution No. 7.

FRED W. ZEH, Chairman.

#### INTRODUCTION OF BILLS AND MEMORIALS

The following bills were introduced, read first and second times by title only and referred to committees as follows, except bills referred to Appropriations Committee, which were read second time at length:

House Bill No. 424, introduced by Johnson of Fergus and Beadle, and Caplis: A Bill for an Act entitled: "An Act appropriating money for the payment of deficiency claims of certain persons for labor and materials furnished in the erection and construction of the metallurgical building at the State School of Mines at Butte, and for refunds of inheritance tax, and for expenses of: District judges expense, eradication of grasshoppers, presidential electors, orthopedic commission, transporting prisoners, delegates to national convention, requisitions, election expense, publishing State Treasurer's report, consolidated boards, State Board of Entomology, Historical Library, Board of Examiners, State budget, Industrial Accident Board, land office, experiment stations, refund of taxes, State prison, Hospital for the Insane, and terminal elevator." Referred to Appropriations.

House Bill No. 425, introduced by Fitzgerald and Mulholland, Beadle: A Bill for an Act entitled: "An Act to authorize and provide for the consolidation and merging of the corporate existence and government of the County of Silver Bow and all cities and towns therein into one municipal corporation and government under the corporate name of 'City and County of Butte,' defining the powers thereof and providing a plan of government therefor, and to repeal Chapter 160 of the Laws of the Eighteenth Legislative Assembly of the State of Montana, 1923, relating to and authorizing and providing for the consolidation and merging of the corporate existence and government of the county of Silver Bow and all cities and towns therein into one municipal corporation and government under the corporate name of 'City and County of Butte;' defining the powers thereof and providing a commission manager plan of government therefor." Referred to Townships and Counties.

House Bill No. 426, introduced by Fitzgarrald and Strange: A Bill for an Act entitled: "An Act to amend Section 1749 of the Revised Codes of Montana of 1921, relating to moving heavy machinery or loads along highways or over bridges." Referred to Highways.



House Bill No. 427, introduced by Strange and Fitzgerald: A Bill for an Act entitled: "An Act to amend Section 10481 of the Revised Codes of Montana of 1921, relating to the amount of allowance of a mother's pension."

House Bill No. 428, introduced by Dellwo: A Bill for an Act entitled: "An Act to amend Chapter 246 of Part III of the Political Code of Revised Codes of Montana, 1921, by adding thereto one section to be known as 3389A relating to taking up and disposing of horses running at large within herd districts." Referred to Committee on Agriculture.

House Bill No. 429, introduced by White, by request: A Bill for an Act entitled: "An Act amending Section 8865 of the Revised Codes of Montana for 1921 relating to residence and qualifications of justices of the peace." Referred to Committee on Judiciary.

House Bill No. 430, introduced by McAfee, Strange and Fitzgarrald of Ravalli: A Bill for an Act entitled: "An Act to repeal Chapter 72 of the laws of the Eighteenth Legislative Assembly relating to old age pensions." Referred to Committee on Ways and Means.

House Bill No. 431, introduced by Fitzgarrald of Ravalli, by request: A Bill for an Act entitled: "An Act giving authority to the Commissioner of Agriculture, Labor and Industry to revoke the licenses of operators of the Babcock test for failure to comply with the laws of the State of Montana or the regulations of the State Department of Agriculture, Labor and Industry relating to said test." Referred to Committee on Agriculture.

House Bill No. 432, introduced by Fitzgarrald of Ravalli, by request: A Bill for an Act entitled: "An Act relating to the keeping of samples of milk and cream for inspection by the Commissioner of Agriculture, Labor and Industry, or his authorized agent in places where milk or cream is tested by the Babcock test." Referred to Committee on Dairying.

House Bill No. 433, introduced by Loble: A Bill for an Act entitled: "An Act requiring railroad companies to give preference to actual producers in the furnishing of cars for shipment of grain." Referred to Committee on Railroads and Transportation.

House Bill No. 434, introduced by Moulton: A Bill for an Act entitled: "An Act to create the county Maginnis, designate its boundaries, provide for its organization and government, and to change the boundaries of Fergus and Musselshell counties to conform thereto." Referred to Committee on New Counties and Divisions.

House Bill No. 435, introduced by Committee on Fish and Game: A Bill for an Act entitled: "An Act amending Sections 3652, 3653, 3655, 3656, 3659, 3661, 3662, 3664, 3665, 3666, 3677, 3681, 3682, 3683, 3685, 3694, 3696, 3697, 3698, 3699, 3700, 3701, 3704, 3606, 3714, 3717, 3718, 3720, 3725, 3727, 3733, 3735, 3741, 3777, 3778, of the Revised Codes of Montana of 1921, relating to the appointment, composition, powers, duties, liabilities and compensation of the State Fish and Game Commission and of the State Fish and Game Warden and his deputies, defining and regulating the protection and propagation of fish and game animals and birds and regulating the taking of same; providing for searches and seizures and for the making of arrests by Deputy State Fish and Game Wardens; regulating fish hatcheries and defining the powers and duties of the superintendent of State fisheries; defining terms used in this Act; regulating the classification, issuance and fees for fishing and hunting licenses; providing penalties for the unlawful taking of fish and game and for other violations of this Act; providing open and closed seasons for elk and deer in the several counties of the State and creating elk preserves; prohibiting the use of explosives and poison in taking fish, and the dumping of refuse in streams and lakes; regulating the possession and shipment of game and repealing Sections 3702, 3720, 3721, and all Acts and parts of Acts in conflict herewith." Referred to Committee on Fish and Game.

House Bill No. 436, introduced by Wold: A Bill for an Act entitled: "An Act to provide for a commission to be known as the Centralized Accounting System Commission; providing for their duties, powers and mak-

ing appropriation for per diem and expenses of same." Referred to Committee on Appropriations.

House Bill No. 437, introduced by Committee on State Lands: A Bill for an Act entitled: "An Act to amend Section 1938 of the Revised Codes of 1921 as amended by Chapter 94 of the Session Laws of 1923, relating to the foreclosure of and acquiring title by quit claim deeds to lands mortgaged to the State, and the sale of such lands, providing for the resale thereof to the original mortgagors, their heirs, assigns, and parties of record, for the sale of such lands by sealed bids, or at private sale thereafter if no bids are submitted, on the amortization plan, for crop lease of abandoned mortgaged farms, for the release of seed liens by County Commissioners when requested, for the remitting of penalties when State pays delinquent taxes in certain cases and directing County Attorney to represent State in matters relating to State Land Office."

There being no objections, House reverted to Order of Business No. 4:

### REPORTS OF STANDING COMMITTEES

The following reports were received from Standing Committees:

Mr. Speaker: We, your Committee on Dairies and Dairying, having had under consideration House Bill No. 340, introduced by Committee on Dairies and Dairying, respectfully report as follows:

That House Bill No. 340 do pass.

FITZGARRALD (Ravalli), Chairman.

On motion of Fitzgarrald of Ravalli, report adopted.

Mr. Speaker: We, your Committee on Dairies and Dairying, having had under consideration House Bill No. 341, introduced by Committee on Dairies and Dairying, respectfully report as follows:

That House Bill No. 341 do pass.

FITZGARRALD (Ravalli), Chairman.

On motion of Fitzgarrald of Ravalli, report adopted.

Mr. Speaker: We, your Committee on Dairies and Dairying, having had under consideration House Bill No. 344, introduced by Committee on Dairies and Dairying, respectfully report as follows:

That House Bill No. 344 do pass.

FITZGARRALD of Ravalli, Chairman.

On motion of Fitzgarrald of Ravalli, report adopted.

Mr. Speaker: We, your Committee on Dairies and Dairying, having had under consideration House Bill No. 342, introduced by Committee on Dairies and Dairying, respectfully report as follows:

That House Bill No. 342 do pass.

FITZGARRALD of Ravalli, Chairman.

On motion of Fitzgarrald of Ravalli, report adopted.

Mr. Speaker: We, your Committee on Dairies and Dairying, having had under consideration House Bill No. 343, introduced by Committee on Dairies and Dairying, respectfully report as follows:

That House Bill No. 343 do pass.

FITZGARRALD of Ravalli, Chairman.

On motion of Fitzgarrald of Ravalli, report adopted.

Mr. Speaker: We, your Committee on Development and Publicity, having had under consideration House Resolution No. 3, introduced by Gordon respectfully report as follows:

That House Resolution No. 3 do pass.

That it be not printed and considered properly engrossed and that it be placed on Third Reading.

GORDON, Chairman.

On motion of Gordon, report adopted.

Mr. Speaker: We, your Committee on Petroleum, Oil and Gas Affairs, having had under consideration House Bill No. 254, introduced by Holt and Rice, respectfully report as follows:

That said House Bill No. 254 do pass.

B. F. MOULTON, Chairman.

On motion of Moulton, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 219, introduced by Beadle and Burns, respectfully report as follows:

That House Bill No. 219 be amended as per amendments attached.

Amend the title as follows: By inserting the figures "3161" and "3165" after the figures "3159" in line 2 thereof, and by changing the figures "3196" to "3169" in line 2 thereof.

Amend the bill as follows: By omitting sub-division 7 of Section IV thereof, and inserting in lieu thereof as follows: as Section 4½:

"Section 4½. That Section 3161 of the Revised Codes of Montana of 1921 be, and the same is hereby amended to read as follows:

"Section 3161. Every registered optometrist who desires to continue the practice of optometry in this state shall annually on or before the second day of July of each year pay to the secretary of said board a renewal fee not to exceed the sum of ten dollars (\$10.00) in return for which a renewal of registration shall be issued. If any person shall fail or neglect to procure his annual renewal of registration, his certificate of registration shall be revoked by said board; provided, however, that no certificate of registration shall be revoked without ninety days' notice having been given to the delinquent, who within such period shall have the right to the renewal of his certificate of registration on the payment of the renewal fee with a penalty of twenty-five dollars (\$25.00)."

Also to amend Section 3167 by inserting: between the figures "(\$300.00)," and the word "or," the words "and not more than Five Hundred (\$500.00) Dollars."

And that the bill be further amended by striking out the words "doctors of medicine" and inserting in lieu thereof the words, "physicians and surgeons" in line 5, of Section 9, under Section 3169 thereof.

And that the same as amended do pass.

BURNS, Chairman.

On motion of Burns, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 88, introduced by William P. Flynn, respectfully report as follows:

That House Bill No. 88 do not pass.

BURNS, Chairman.

On motion of Burns, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 89, introduced by William P. Flynn, respectfully report as follows:

That House Bill No. 89 do not pass.

BURNS, Chairman.

On motion of Burns, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 308, introduced by Loble, respectfully report as follows:



That House Bill No. 308 do pass.

BURNS, Chairman.

On motion of Burns, report adopted.

Mr. Speaker: We, your Committee on Banks and Banking, having had under consideration House Bill No. 225, introduced by Committee on Banks and Banking, respectfully report as follows:

House Bill No. 225 do pass.

JOHNSON of Fergus, Chairman.

On motion of Johnson of Fergus, report adopted.

Mr. Speaker: We, your Committee on Banks and Banking, having had under consideration House Bill No. 373, introduced by Committee on Banks and Banking, respectfully report as follows:

That House Bill No. 373 do pass.

JOHNSON of Fergus, Chairman.

On motion of Johnson of Fergus, report adopted.

Mr. Speaker: We, your Committee on Railroads and Transportation, having had under consideration House Bill No. 369, introduced by Railroads and Transportation Committee, respectfully report as follows:

That House Bill No. 369 do pass.

HAWLEY, Chairman.

Mr. Speaker: We, your Committee on State Lands, having had under consideration House Bill No. 361, introduced by Robert Larson, respectfully report as follows:

That House Bill No. 361 do pass.

HOLTON, Chairman.

On motion of Holton, report adopted.

Mr. Speaker: We, your Committee on State Lands, having had under consideration House Resolution No. 2, introduced by Waite and Holton, respectfully report as follows:

That House Resolution No. 2 do pass.

HOLTON, Chairman.

On motion of Hawley, report adopted.

Mr. Speaker: We, your Committee on State Lands, having had under consideration House Bill No. 248, introduced by Meagher and Merritt, respectfully report as follows:

That House Bill No. 248 do not pass.

But we herewith submit Substitute House Bill No. 248, A Bill for an Act entitled: "An Act to amend Sections 1884, 1885 and 1898 of the Revised Codes of Montana of 1921, and to repeal Section 1886 of the Revised Codes of Montana of 1921, all relating to the leases and rentals of State Lands." and we respectfully report that this substitute bill do pass.

HOLTON, Chairman.

On motion of Holton, report adopted.

### MOTIONS AND RESOLUTIONS

Moved by Gordon, duly seconded and carried, that House Resolution No. 3 be placed on Third Reading.

### THIRD READING OF HOUSE BILLS

House Resolution No. 3 having been read three times, was passed by the following vote:

Ayes: Anderson, Andrus, Berryman, Besancon, Brandt, Budas, Castles, Clarke, Cusick, Davis, Dellwo, Donaldson, Eaton, Fairgrieve, Fitz-

garrauld, Flachsenhar, Fletcher, Gordon, Graybill, Green, Hanson, Harris, Hawley, Hedrick, Higham, Holton, Joffray, Johnson, (Fergus), Johnson, (Valley), Kennedy, Leavens, Masters, Meagher, Moriarty, Morris, Moss, Moulton, Murphy, McCarty, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Ruffcorn, Rupert, Sales, Smith, (Lewis and Clark), Steeves, Strange, Throssel, Troy, Waite, White, Wuerthner, Zeh, Mr. Speaker. Total—59.

Noes: Akofer, Bergstrom, Fitzgerald, Hoffman, Larsen, (Sheridan), Lincoln, Merritt, Miller, Reed, Ryder, Schoening, Shields. Total—12.

Absent and not voting: Ainsworth, Campbell, Caplis, Doran, Duncan, Flynn, Fox, Hardcastle, Keeley, Kelly, Kinville, Larson, (Cascade), Lemon, McGrath, Nagle, Smith, (Beaverhead), Stoddard, Walker, Walton, Wold. Total—20.

Present and not voting: Beadle, Burns, Holt, Larson, (Sheridan), Loble, Mulholland, McAfee, Nelson, Rice, Tinsley. Total—10.

There being no objections, House reverted to Order of Business No. 5.

### INTRODUCTION OF BILLS AND MEMORIALS

The following bills were introduced, read first and second times, by title only, and referred to committees as follows:

House Bill No. 438, introduced by Graybill. A Bill for an Act entitled: "An Act amending Sections 11052 and 11053 of the Revised Codes of Montana, 1921, relating to prescription of liquor, and penalties for violation, and repealing Sections 11097 and 11098 of the Revised Codes of Montana, 1921, relating to prescriptions." Referred to Committee on Ways and Means.

House Bill No. 439, introduced by Davis, Hanson, and Besancon. A Bill for an Act entitled: "An Act to provide for the lowering of special school district levies and to fix the maximum special district levy which may be determined by school trustees of any district at six (6) mills on each dollar of valuation and the maximum special district levy which may be determined by a vote of the taxpayers at twenty (20) mills on each dollar of valuation and that in counties in which all third class districts operate as one rural school district the county board of school trustees shall not be empowered to fix a levy in excess of eighteen (18) mills, in case the referendum measure providing for a five (5) mill state levy for the maintenance of the public elementary and high schools of the State of Montana carries at the next general or special election when that question may be submitted to the qualified electors of the state." Referred to Committee on Education.

House Bill No. 440, introduced by Larson of Cascade. A Bill for an Act entitled: "An Act to amend Section 2917 of the Revised Codes of Montana of 1921, relating to hospital and medical services to be furnished under the provisions of the workmen's compensation act." Referred to Committee on Workmen's Compensation.

House Bill No. 441, introduced by Davis, Hanson and Besancon. A Bill for an Act entitled: "An Act to provide an increase in the rate of taxation on real and personal property for State purposes five (5) mills on each dollar of valuation for a period of twenty years beginning with the year 1927 and to authorize and empower the Legislative Assembly to levy a tax for each year during such period of not exceeding eight and one-half (8 1-2) mills on each dollar of valuation and to appropriate the money derived from five (5) mills of such levy for each year during such period for the maintenance of the public elementary and high schools of the State of Montana and to provide for submitting to the qualified electors of the State of Montana at the next general or special election the question of the fixing of such levy and to prescribe the form of ballots to be used and the duties of the seceretary of state relative to the submission of said question to the qualified electors of the State." Referred to Committee on Education.

At the request of Clarke, there being no objections, House reverted to Order of Business No. 4.

### REPORTS OF STANDING COMMITTEES

The following reports were received from Standing Committees:

Mr. Speaker: We, your Committee on Mines and Mining, having had under consideration House Bill No. 270, introduced by Fairgrieve, by request, respectfully report as follows:

That House Bill No. 270 do not pass.

WUERTHNER, Chairman.  
SMITH of Lewis and Clark,  
STEEVES,  
KENNEDY,  
MOULTON,  
NELSON,  
RUPERT,  
FAIRGRIEVE,  
JOFFRAY,  
MURPHY,  
STODARD,  
McGRATH,  
KELLY.

On motion of Wuerthner, report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 334, introduced by Donaldson, respectfully report as follows:

That House Bill No. 334 do pass.

CLARKE, Chairman.

On motion of Clarke, report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration Senate Bill No. 42, introduced by Dell, respectfully report as follows:

That Senate Bill No. 42 be concurred in.

CLARKE, Chairman.

On motion of Clarke, report adopted.

### CONSIDERATION OF GENERAL ORDERS

Moved by Ruffcorn, duly seconded and carried, that House resolve itself into Committee of the Whole for Consideration of General Orders, and that debate be limited to five minutes for author of any bill and to three for others.

Mr. Davis in the chair.

The Committee arose.

Mr. Speaker in the chair.

The Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bills No. 134, No. 218, No. 239, No. 240, No. 241, No. 252, No. 262, No. 284, Senate Bill No. 7, House Bill No. 141, respectfully report as follows:

That House Bill No. 134 be amended as follows:

The title: By inserting in line 10, after the figures "11105," the following, "and 11072." And by adding after "1921," at the end of title, the following: "Relating to form issuance and return of search warrants for intoxicating liquor and disposal of liquor and other articles seized." And striking out "12414 D."



Section 2, Sub-division 4. By adding to sub-division 4 the following: "Provided however, no search warrant shall issue under the provisions of this sub-division for violation of the prohibition or liquor laws of this State, to search any private dwelling occupied as such unless being used for the unlawful sale or manufacture of intoxicating liquor, or unless it is in part used for some business purpose such as store, shop, saloon, restaurant, hotel or boarding house. The term "private dwelling" shall be construed to include the room or rooms used and occupied not transiently, but solely as a residence in an apartment house, hotel or boarding house.

Section 3. By inserting between "and" and "search," line 13, the word "the."

Section 5. By inserting between the words "event" and "the" line 3, Section 5, the following: "the complaint is made before the Justice of the Peace or Police Magistrate, and."

Section 14. By striking out in line 12 the word "two" and inserting in lieu thereof the word "five."

Section 17. By striking out in line 13 "with," and inserting in lieu thereof the word "which."

Section 18. By striking Section 18.

Section 19. By striking out in line 7 the word "reasonable" and inserting in lieu thereof the word "reasonably" and renumbering the Section as Section 18, and changing the "C" to "B" after "12414."

By inserting after Section 18 a new section to be known as Section 19, and to read as follows:

"Section 19. That Chapter 55 of Part II of the Penal Code, Revised Codes of Montana of 1921, be amended by adding thereto a section to be known as Section 1244-C, to read as follows:

"Section 12414-C. On the hearing provided for by Section 12412 of this Code, the reputation of the person charged in the complaint or of the premises for which a search warrant is sought that the person has committed the acts charged, or that the premises described are used in the commission of the acts charged, shall be competent evidence and if the proof shall disclose that such person or premises has such reputation it shall be deemed and held to be reasonable cause to believe the grounds of the application."

Section 20. By inserting in line 2 after figures "11105" the figures "11072."

And that as amended, House Bill No. 134 do pass.

That House Bill No. 218 be amended as follows:

Section 1. By striking out in line 60 of the printed bill the word "should," and inserting in lieu thereof the word "shall."

And that as amended, House Bill No. 218 do pass.

That House Bill No. 239 do pass.

That House Bill No. 240 do pass.

That House Bill No. 241 be amended as follows:

The title: By adding at the end of line 1 the words "the Revised Codes of Montana of 1921, as amended by."

Section 1. By inserting in line 1 after "2399 of," the words "the Revised Codes of Montana of 1921, as amended by."

Section 2. By inserting in line 1 after "2404 of," the words "the Revised Codes of Montana of 1921, as amended by;" by inserting in line 4 after "provisions of" the words "Section 2403 of the Revised Codes of Montana of 1921, as amended by."

Section 3. By striking out in line 1 the word "make," and inserting in lieu thereof the word "file." By inserting in line 1 after "2405 of" the words "the Revised Codes of Montana of 1921, as amended by."

And that as amended House Bill No. 241 do pass.

That House Bill No. 252 do pass.

That House Bill No. 262 do pass.

That House Bill No. 284 be amended as follows:

Section 1. By striking out in line 8, the word "June" and inserting in lieu thereof the word "July."

And that as amended, House Bill No. 284 do pass.

That Senate Bill No. 7 be concurred in.

That House Bill No. 141 do pass.

DAVIS, Chairman.

Moved by Davis, duly seconded, that report be adopted.

Moved by Loble, duly seconded, that House Bill No. 134 be segregated from the report.

Moved by Troy, as substitute motion for all motions pending, duly seconded, that House Bill No. 134 be laid upon the table.

Question arising on substitute motion to lay House Bill No. 134 on the table, same failed.

Moved by Holt, duly seconded, that House reconsider its action on substitute motion.

Moved by Loble, as substitute motion, duly seconded, that motion to reconsider action on substitute motion be laid upon the table.

Question arising on substitute motion, to lay Holt's motion on the table, same failed.

Question arising on motion by Holt, same was lost.

Question arising on motion to segregate House Bill No. 134, same was lost.

Question arising on motion to adopt report of the Committee of the Whole, same carried.

The Enrolling Committee reported as follows:

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Memorial No. 3.

McAFEE, Chairman.

The Printing Committee reported as follows:

Mr. Speaker: We, your Committee on Printing, beg leave to report the following bills correctly printed:

House Bills No. 279, No. 291, No. 301, No. 322, No. 328, No. 327, No. 310

FRED W. ZEH, Chairman.

There being no objections, House reverted to Order of Business No. 5:

### INTRODUCTION OF BILLS AND MEMORIALS

The following bills were introduced, read first and second times, by title only, and referred to committees as follows:

House Bill No. 442, introduced by Lincoln, by request: A Bill for an Act entitled: "An Act to change and alter the boundaries between Fergus county on one side and Judith Basin county on the other side, so as to include within Judith Basin county, and to become part and parcel thereof and exclude from Fergus county, part of five townships in the extreme western part of Fergus county, immediately contiguous to Judith Basin county; to fix and establish as far as possible said boundary lines on section lines, and to provide that Judith Basin shall, at its expense transcribe and certify the records covering the lands transferred by this Act to said county." Referred to Committee on New Counties and Divisions.

House Bill No. 443, introduced by McAfee, Moss, Strange, Cusick, Lincoln, Moulton: A Bill for an Act entitled: "An Act to amend Section 4506, Revised Codes of Montana of 1921, relating to noxious weeds." Referred to Committee on Agriculture.

House Bill No. 444, introduced by Davis and Hanson. A Bill for an Act entitled: "An Act to provide for levying, collecting and paying a tax on cigarettes, and cigarette paper or wrappers sold in the State of Montana, and providing for its distribution." Referred to Committee on Education.

House Bill No. 445, introduced by Hedrick, Walker and Reed: A Bill for an Act entitled: "An Act for the submission to the qualified electors of the State of Montana of an amendment to Section 4 of Article V, and to Sections 4, 5 and 6 of Article VI of the Constitution of the State of Montana relating to the Legislative Assembly of the State of Montana, and to the creation of senatorial and representative districts, and to the apportionment of Senators and representatives." Referred to Committee on Apportionment and Representation.

House Bill No. 446, introduced by Eaton: A Bill for an Act entitled: "An Act to repeal Sections 1113, 1114, 1115, 1116, 1117, 1118, 1119, 1120, 1121, 1122, 1123, 1124, 1125, 1126, 1127, 1128, 1129, 1130, 1131, and 1132 of the Revised Codes of Montana, 1921, pertaining to the Teachers' Retirement Salary Fund and providing for the disposal of such fund." Referred to Committee on Education.

### MOTIONS AND RESOLUTIONS

Moved by Peat, duly seconded and carried, that House Bill No. 349 be taken from the Printing Committee and be referred to Committee on Affairs of Cities.

Moved by Flachsenhar, duly seconded and carried, that House Bill No. 84 be placed at the bottom of first column of General Orders.

Moved by Wold, duly seconded, that House adjourn until 9:30 A. M., Saturday, February 14, 1925.

Moved by Holt, as substitute motion, duly seconded, that House adjourn until 9:00 A. M. Saturday, February 14, 1925.

Question arising on substitute motion, same failed.

Question arising on original motion, same carried.

R. C. BRICKER, Speaker.

Attest: H. J. FAUST, Chief Clerk.

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### FORTY-FIRST DAY

House of Representatives,  
Helena, Montana, February 14, 1925.

House met pursuant to adjournment at 9:30 A. M.

Mr. Speaker in the chair.

Prayer by the Chaplain.

On roll call all present except: Lemmon, excused on account of sickness; Fox, excused on account of death of his father; Ainsworth, Andrus, Campbell, Fitzgarrald of Ravalli, Parkin, excused until Monday; Caplis, absent.

The Committee on Journal reported as follows:

Mr. Speaker: We, your Committee on Journal, have this day examined the Journal for the 40th Legislative day and found the same correct.

PEARL I. SMITH, Chairman.

On motion of Smith of Beaverhead, report adopted.

### REPORTS OF STANDING COMMITTEES

The following report was received from the Judiciary Committee:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 97, introduced by Judiciary Committee, re-



spectfully report as follows: That House Bill No. 97, be amended as follows:

"By striking out the word "county" in line 18, page 1, and inserting in lieu thereof the words "and Jefferson Counties."

By striking out the words "Judith Basin" in line 27, page 1.

By striking out the words "Broadwater and Meagher Counties" in line 28, page 1, and inserting in lieu thereof, the word "County."

By adding between the words "Petroleum" and "Counties," the words "and Judith Basin," line 29, page 1.

By adding after the word "Counties," line 12, page 2, the following: "Nineteenth District, Wheatland, Broadwater and Meagher Counties."

By inserting in line 20, page 2, between the words "eighth" and "thirteenth," the word "tenth."

And as amended the bill do pass.

BURNS, Chairman.

On motion of Burns, report adopted.

### INTRODUCTION OF BILLS AND MEMORIALS

The following bills were introduced, read first and second times by title only, and referred to committees as follows:

Senate Joint Resolution No. 6, introduced by Committee on Federal Relations:

A Joint Resolution requesting the appointment of a commission by the Governor of the State of Montana, consisting of six members of the Senate to act in conjunction with a commission of the United States for the purpose of the considering and carrying out of a governmental program for the proper commemoration, of the two hundredth anniversary of the birth of George Washington.

Whereas, on December second, A. D. 1924, the President of the United States signed the Bill, passed in June, by the Congress of the United States, whereby a commission composed of fifteen members, was created for the purpose of the consideration and carrying out of a governmental program for the commemoration, nationally and internationally, of the two hundredth anniversary of the birth of George Washington, and

Whereas, The foregoing mentioned project was conceived and accomplished by and through the efforts of the George Washington Sulgrave Institution; and

Whereas, It is the purpose and work of the aforementioned institution to present the matter to the several states of the Union with the hope in view that each state will officially sanction and further such project and thereby enable the nation as a whole to participate in this notable and tremendous celebration;

Now, Therefore, Be It Resolved by the Senate of the Legislature of the State of Montana, the House of Representatives concurring:

That in view of the foregoing, that this Assembly for and in behalf of itself and the people of the State, record themselves in favor of the observance of the two hundredth anniversary of the birth of George Washington, and earnestly request the Governor of the State of Montana to appoint a commission consisting of six members of the Senate to act in conjunction with the commission selected or which may be selected by Congress in order that the two hundredth anniversary of the Father of Our Country be properly and fittingly observed.

Be It Further Resolved, That a copy of this resolution be forwarded by the Secretary of State to the Congress of the United States and to the George Washington Sulgrave Institution at Washintgon, D. C. (Federal Relations.)

H. C. SMITH, Chairman.

Senate Bill No. 72, introduced by Cowan, Griffin, et al.: A Bill for an Act entitled: "An Act to amend Sections 917, 918 and 921 of the Revised Codes of Montana, 1921, relating to the establishment and location of the Northern Montana Agricultural and Manual Training School; providing for the appointment of an executive board for said school; prescribing the powers and duties of said board, and providing for a report by said executive board concerning the functions of said school, to be made to the Twentieth Legislative Assembly of the State of Montana." Referred to Agriculture.

#### CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

The following message was received from the Governor:

Helena, Montana, February 13, 1925.

The Speaker, House of Representatives,

Helena, Montana.

I have the honor to advise you that I have this day approved the following measures:

H. J. M. No. 1—Relating to construction work upon the Flathead irrigation project.

H. J. M. No. 2—Relating to participation by the United States in the Permanent Court of International Justice.

H. J. M. No. 3—Relating to the promotion of equality for agriculture under the American protective system.

J. E. ERICKSON, Governor.

Moved by Loble, duly seconded and carried, that messages from Senate be considered read at length and the Journal so show.

The following messages were received from the Senate:

Helena, Montana, February 13, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate bills were this day read three several times and passed, title agreed to, and are herewith transmitted to the House for concurrence:

S. B. No. 72, by Cowan, Griffin, Porter, Dell, Survant, Schnitzler, Taylor, Greenup, Clark and Peterson.

S. J. R. No. 6, by Committee on Federal Relations.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 13, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee of the Whole, having had under consideration H. B. No. 160, by Duncan, report and recommend that said bill be not concurred in. Bill is herewith returned to the House.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 13, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Banks and Banking report that H. B. No. 95 be amended as follows:

Amend Section 1, line 1, by striking out the former amendment and inserting in lieu thereof the words "industrial loan association."

And, as amended, it be concurred in.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 13, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following bill was this day introduced:

S. B. No. 146, by Taylor: "An Act to amend Section 8278, Revised Codes of Montana, 1921, relating to the filing of mortgages on personal property and the keeping of the same after such filing." Judiciary.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 13, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Committee on Education report that S. B. No. 129, by Committee on Education, be amended as follows:

Amend Section 1 by inserting at the end of line 13 the following "a state certificate or," and inserting in line 14, after the word "certificate" the words: "of the State of Montana."

Amend Section 3 by striking out in line 2, the words "be and the same are hereby repealed" and inserting the word "and."

Amend Section 4 by striking out in line 1, the word and figure "Section 4."

And, as so amended, the bill do pass.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 13, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following notices were this day given:

By Taylor: "An Act to amend Section 8278, Revised Codes of Montana, 1921, relating to the filing of mortgages on personal property and the keeping of the same after such filing."

By Survant: "An Act providing the terms for which state Senators, Clerks of the District Court, and County Commissioners shall hold office, where elected at a special election held for the purpose of voting upon the creation of a new county."

By Leuthold: "An Act to provide for the payment of compensation into the Industrial Administrative fund of the State of Montana, and, if an employee covered by compensation, as provided by Chapter 213, Revised Codes of Montana, 1921, known as the 'Workmen's Compensation Act,' dies as the result of injury and there is no liability for payment, or when the liability for such payment is removed; and providing for the appropriation and use of such money after its payment into such fund."

By Garber, Pomeroy, Pauline, Tower: A Senate Memorial to the Congress of the United States asking for an appropriation to improve Camas Hot Springs, located at Hot Springs, Montana.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 13, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following bills were this day introduced and referred to the Standing Committees:

S. B. No. 135, by Committee on Livestock and Grazing: A Bill for an Act entitled: "An Act providing for the branding and inspection of sheep before sale, removal, transportation or shipment and to require railroad companies to demand and receive an inspection certificate before such sheep are loaded for shipment; prohibiting the sale, or the loading of sheep for shipment without such certificate, and investing the Livestock Commission with authority to administer this Act and execute the provisions thereof, and providing penalties for its violation." Referred to Committee on Stockgrowing and Grazing.

S. B. No. 136, by Church: A Bill for an Act entitled: "An Act providing a manner for the submission to the qualified voters of any county of the question as to whether under certain conditions pari-mutuel totalizing machines shall be permitted in said county, providing for the manner of



holding said elections and the ballots to be used therefor and providing a place wherein said pari-mutuel totalizing machines may be used and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Fairs and Expositions.

S. B. No. 137, by McCormick: A Bill for an Act entitled: "An Act to amend Section 1759 of the Revised Codes of Montana of 1921, relating to registration and re-registration of motor vehicles." Referred to Committee on Roads and Highways.

S. B. No. 138, by Cowan: A Bill for an Act entitled: "An Act to permit the organization of irrigation districts by the owners of water rights, having a common source of supply and a single intake from such common source of supply, for the purposes of operation and administration of said system, without the necessity of the acquisition by such irrigation district of the existing water rights, system or works owned by the respective water rights owners within the district, and conferring on such districts the powers, duties and status of public corporations organized under the irrigation district laws of the State of Montana." Referred to Committee on Irrigation and Water Rights.

S. B. No. 139, by Oliver: A Bill for an Act entitled: "An Act to amend Section 6358 of the Revised Codes of the State of Montana, 1921, relating to the powers of building and loan associations." Referred to Committee on Banks and Banking.

S. B. No. 140, by Oliver: A Bill for an Act entitled: "An Act to amend Section 6055 of the Revised Codes of Montana of 1921, relating to embezzlement, misapplication, wrongful abstraction, false entries and reports and omission of entries, and taking of commissions and valuable considerations, and aiding and abetting in wrongful acts by officers and agents of banks." Referred to Committee on Banks and Banking.

S. B. No. 141, by Pauline: A Bill for an Act entitled: "An Act to amend Section 1282 of the Revised Codes of 1921, as amended by Chapter 19 of the Laws of the Eighteenth Legislative Assembly, relating to attendance at county high schools." Referred to Committee on Education.

S. B. No. 142, by Survant: A Bill for an Act entitled: "An Act providing for filing all deeds and conveyances affecting real property; prescribing the quality of paper to be used; providing that filing shall be in lieu of recording instruments specified by Subdivision 1 of Section 4796; providing for certified copies of all instruments filed; providing for filed instruments to be permanently bound; providing for fees for filing, and providing penalties for removing any field instrument." Referred to Committee on Counties and Towns.

S. B. No. 143, by Pauline: A Bill for an Act entitled: "An Act detaching certain territory from the county of Lake and annexing the same to the county of Flathead and establishing and defining the boundary line between said counties." Referred to Committee on New Counties and Towns.

S. B. No. 144, by Dell: A Bill for an Act entitled: "An Act relating to encumbrances against real property, prohibiting same under certain circumstances and providing penalties for the violation of this Act." Referred to Judiciary Committee.

S. B. No. 145, by Page: A Bill for an Act entitled: "An Act to amend Section 3653 of Chapter 255 of the Revised Codes of Montana of 1921, relating to powers and duties of fish and game commission." Referred to Committee on Fish and Game.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 13, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee of the Whole, having had under consideration Business on General File, report as follows:

That S. B. No. 37 do pass.

That S. B. No. 39 do pass.

That Sub. for S. B. No. 54 do pass.

That S. B. No. 56 do pass.

That S. B. No. 84 do pass.

That S. B. No. 96 do pass.

That consideration of S. B. No. 99 be passed for the day.

That S. B. No. 101 do pass.

That S. B. No. 105 do pass.

That consideration of S. B. No. 108 be passed for the day.

That consideration of H. B. No. 6 be passed for the day.

That H. B. No. 36 be concurred in.

That consideration of H. B. No. 66 be passed for the day.

That H. B. No. 105 be concurred in.

That H. B. No. 108 be concurred in.

That H. B. No. 160 be amended by striking out the enacting clause.

That S. B. No. 60 be amended, in Section 1 by striking out in lines 1 and 2 the words "some bank or trust company" and inserting in lieu thereof the words "One or more banks or trust companies; also in Section 7, line 2, of the printed bill, by inserting the word "wilfully" after the word "shall;" also in Section 7, line 3, of the printed bill, by inserting after the word "Act" the following; provided the State or the municipality shall have funds on hand to pay such obligation herein mentioned, and that, as so amended, it do pass.

Reports adopted.

Respectfully,

J. F. CONE, Secretary of Senate.

#### CONSIDERATION OF GENERAL ORDERS

Moved by Ruffcorn, duly seconded, that House now resolve itself into Committee of the Whole for consideration of General Orders, and that debate be limited to five minutes to proponents or authors of bills, and to three minutes to others.

Moved by Larsen, duly seconded, that motion by Ruffcorn be amended by adding to the motion the provision that bills be read by title, history and section number only except by request.

Moved by Parkin, duly seconded, that motion by Ruffcorn, proposed to be amended by Larsen, be further amended to provide that no person may give to another the time allowed to him for debate.

Question arising on the amendment proposed by Parkin, same failed.

Question arising on amendment of Larsen, same carried.

Question now arising on motion by Ruffcorn, as amended by Larsen, same carried.

Mr. Harris in the chair.

Committee arose.

Mr. Speaker in the chair.

The Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration, House Bill Nos. 276, 277, 280, 282, 255, 281, 289; Senate Amendments to House Bill No. 32, Senate Amendments to House Bill No. 64; House Bills Nos. 205, 84, 69, 47, 175, 176, 198, 231, and 253, respectively report as follows: That

House Bill No. 276 be passed for time being.

House Bill No. 277 be passed for time being.

House Bill No. 280 be passed for time being.

House Bill No. 282 be passed for time being.

House Bill No. 255 be passed for time being.

House Bill No. 281 do pass.

House Bill No. 289 be amended as follows:

Section 7. By adding in line 5 after the word "penalties" the following "where not a lien on real property."

And as so amended, House Bill No. 289 do pass.

Senate Amendments to House Bill No. 32 be concurred in.

Senate Amendments to House Bill No. 64 be concurred in.

House Bill No. 205 be amended as follows:

Section 2. By inserting in line 3, after "Chapter 29" the words "of Part I;" by adding to Section 2 the following "or any amendments thereof."

And as so amended, House Bill No. 205 do pass.

House Bill No. 84 be passed for time being.

House Bill No. 69 be passed for time being.

House Bill No. 47 do pass.

House Bill No. 175 be amended as follows:

Section 1. By striking out in line 15 the words "outstanding bonds heretofore issued" and inserting in lieu thereof the words "bonds issued prior to and outstanding on May 1st, 1923;" By striking out in line 30 the words "and outstanding when this Act becomes effective" and inserting in lieu thereof the words "issued prior to and outstanding on May 1st, 1923."

And as so amended, House Bill No. 175 do pass.

House Bill No. 176 be amended as follows:

Section 1. By striking out in line 24 all after the word "made;" all of line 25; and in line 26 the words "or the public or in any other way;" in line 28 the words "or such structure or structures be erected," strike out in lines 29 and 30 the sentence beginning with the word "if" and ending with the word "thereof;" in line 31 the words "or any new structure or structures;" in line 34 the words "or new structure or structures;" in line 37 the words "or new structure or structures;" in line 41 the words "or new structure or structures;" and as so amended, House Bill No. 176 do pass.

House Bill No. 198 be passed for time being.

House Bill No. 231 be amended as follows:

Section 1. By striking out in line 7 after the word "sale" the remainder of the said line and by striking out in line 8 after the word "taxes" the words "theretofore assessed and" and inserting in lieu thereof the words, after the word against, "or which are a lien on" and in line 10 after the word "been" the following words "or is subject to assessment for the year in which such sale is to be made."

By inserting a new section to be known as Section 2 and to read as follows: "Section 2. All Acts and parts of Acts in conflict herewith are hereby repealed."

And as so amended, House Bill No. 231 do pass.

House Bill No. 253 be amended as follows:

Section 1. By inserting at the beginning of line 4 the words and figures "Section 3956;" by adding in line 6 after the word "title" "also the three-fourths of the holders of mortgages;" by striking out in line 15 the word "either" and in line 16 the word "two" and inserting in lieu thereof, in line 15, the word "any."

And as so amended, House Bill No. 253 do pass.

HARRIS, Chairman.

Moved by Harris, duly seconded, that report be adopted.

Moved by Hardcastle, duly seconded, that House Bill No. 176 be segregated from the report.

Moved by Wuerthner, duly seconded, as a substitute motion for all motions pending, that motion to segregate be laid on the table.



Question arising on substitute motion to lay on table, same is lost.

Question arising on motion to segregate House Bill No. 176, same is lost.

Question arising on motion to adopt committee report, same carried.

Moved by Ruffcorn, duly seconded and carried, that House be at ease for a few minutes to hear the quartette from the Missoula University Glee Club.

Moved by Ruffcorn, duly seconded and carried, that the House extend a vote of thanks to the quartette which just sang.

Moved by Ruffcorn, duly seconded and carried, that House now recess until 2:30 P. M.

#### AFTERNOON SESSION

House resumed at 2:30 P. M.

Mr. Speaker in the chair.

#### CONSIDERATION OF GENERAL ORDERS

Moved by Loble, duly seconded and carried, that House now resolve itself into a Committee of the Whole for the Consideration of General Orders and that debate be limited to five minutes to proponents or authors of bills and to three minutes to others, and that bills be read by title, history and section numbers only except upon request of one member.

Mr. Graybill in the chair.

The Committee arose.

Mr. Speaker in the chair.

The Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration:

House Bills Nos. 41, 275, 286, 300, 303;

Senate amendments to House Bills Nos. 106 and 126, 49, 14;

House Bills Nos. 148 and 158;

Substitute House Bill No. 184;

House Bills Nos. 269, 272, 297, 316;

Senate Bills Nos. 17, 23, 25, 41, 52, 77;

Senate Joint Resolution No. 3;

House Joint Memorial No. 4;

Substitute House Bills Nos. 90, 237, 288 and 293;

House Joint Resolution 7, respectfully report as follows: That

House Bill No. 41 do pass.

House Bill No. 275 do pass.

House Bill No. 286 be amended as follows:

By inserting before line 1 in Section 1 the words, "Be it enacted by the Legislative Assembly of the State of Montana," and that as amended, same do pass.

House Bill No. 300 do pass.

House Bill No. 303 do pass for the time being.

Senate amendments to House Bill No. 14 be concurred in.

Senate amendments to House Bill No. 49 be concurred in.

Senate amendments to House Bill No. 106 be concurred in.

Senate amendments to House Bill No. 126 be not concurred in, and a conference committee be appointed.

House Bill No. 148, the enacting clause be stricken out.

House Bill No. 158, the enacting clause be stricken out.

Substitute House Bill No. 184 be amended as follows:

Section 1. By striking out in lines 9 and 10 the words "ten cents," and inserting in lieu thereof the words "five cents."

Section 2. By striking out in line 10 the words "ten cents," and inserting in lieu thereof the words "five cents," and that as amended, same do pass.

House Bill No. 269 be amended as follows:

Section 2. By striking out all of Section 2, and inserting in lieu there the words, "Section 2. All Acts and parts of Acts in conflict herewith are hereby repealed," and that as amended, same do pass.

House Bill No. 272 do pass.

House Bill No. 297 be passed for the time being.

House Bill No. 316 do pass.

Senate Bill No. 17, be passed for the time being.

Senate Bill No. 23, be passed for the time being.

Senate Bill No. 25, be passed for the time being.

Senate Bill No. 41, be passed for the time being.

Senate Bill No. 52, be passed for the time being.

Senate Bill No. 77 be passed for the time being.

Senate Joint Resolution No. 3, be passed for the time being.

House Joint Memorial No. 4 do pass.

Substitute House Bill No. 90 be amended as follows:

Section 1. By inserting in line 3 between the words "elevators are," the words, "or any hoisting mechanism used in underground mining or reduction of ores," and that as amended, same do pass.

House Bill No. 237 do pass.

House Bill No. 288, be passed for time being.

House Bill No. 293, that the enacting clause be stricken out.

House Joint Resolution No. 7 do pass.

GRAYBILL, Chairman.

Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bills Nos. 58, 78, 144, 163, 189, 159, 190, 201, 232, respectfully report as follows: That

House Bill No. 58 be passed for time being.

House Bill No. 78 do pass.

House Bill No. 144 be passed for time being.

House Bill No. 163 be passed for time being.

House Bill No. 189 do pass.

House Bill No. 159 do pass.

House Bill No. 190, be passed for time being.

House Bill No. 201, the enacting clause be stricken out.

House Bill No. 232 do pass.

GRAYBILL, Chairman.

Moved by Graybill, duly seconded that report be adopted.

Moved by Ruffcorn, duly seconded and carried, that House Bill No. 106 be segregated from the report.

Question arising on motion to adopt the committee report, with House Bill No. 106 segregated therefrom, same carried.

Moved by Clarke, duly seconded and carried, that House now adjourn until 9:30 A. M., February 16, 1925.

R. C. BRICKER, Speaker.

Attest: H. J. FAUST, Chief Clerk.

**FORTY-THIRD DAY**

House of Representatives,  
Helena, Montana, February 16, 1925.

House met pursuant to adjournment at 9:30 A. M.

Mr. Speaker in the chair.

Prayer by Rev. Burdick.

On roll call all present except: Lemmon, excused on account of sickness; Fitzgarrald of Ravalli, excused; and Loble, excused.

The Journal Committee reported as follows:

Mr. Speaker: We, your Committee on Journal, have this day examined the Journal for the Forty-first Legislative day and found the same correct.

PEARL I. SMITH, Chairman.

On motion of Smith of Beaverhead, report adopted.

The Engrossing Committee reported as follows:

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed:

House Bills No. 262, 203, 281, 241, 239, 240, 97, 205, 218, 284, 252, 15, 204, 161, 52.

BERRYMAN, Chairman.

**REPORTS OF STANDING COMMITTEES**

The following reports were received from Standing Committees:

Mr. Speaker: We, your Committee on Improvements and Manufacturing, having had under consideration House Bill No. 229, introduced by Loble, respectfully report as follows:

That House Bill No. 229 do pass.

DUNCAN, Chairman.

On motion of Duncan Report adopted.

Mr. Speaker: We, your Committee on Improvements and Manufacturing, having had under consideration House Bill No. 230, introduced by Loble, respectfully report as follows:

That House Bill No. 230 do pass.

DUNCAN, Chairman.

On motion of Duncan, report adopted.

Mr. Speaker: We, your Committee on Improvements and Manufacturing, having had under consideration House Bill No. 242, introduced by Loble, respectfully report as follows:

That House Bill No. 242 do pass.

DUNCAN, Chairman.

On motion of Duncan, report adopted.

Mr. Speaker: We, the majority of your Committee on Judiciary, having had under consideration House Bill No. 67, introduced by Robert Larson, respectfully report as follows:

That House Bill No. 67 do not pass.

BURNS, Chairman.  
JOHNSON of Fergus,  
FITZGARRALD of Ravalli,  
FLACHSENHAR  
CAMPBELL,  
SMITH.

Mr. Speaker: We, the minority of your Committee on Judiciary, having had under consideration House Bill No. 67, introduced by Robert Larson, respectfully report as follows:



That House Bill No. 67 be amended as follows:

By striking out the words "State Board of Equalization" where they appear in line 1, Section 1, and inserting in lieu thereof the following: "Governor, State Treasurer and Attorney General."

By striking out the words "State Board of Equalization" where they appear in line 1, Section 4, and inserting in lieu thereof the following: "Governor, State Treasurer and Attorney General."

Further by striking out all of Section 12, which appears in lines 1 and 2 of the third page of said bill.

And as amended do pass.

BESANCON,  
BEADLE,  
AINSWORTH,  
FITZGERALD of Silver Bow  
HOLT.

Moved by Burns, duly seconded, that majority report be adopted.

Moved by Holt, as substitute motion, duly seconded, that minority report be adopted.

Question arising on substitute motion, same carried .

Mr. Speaker: We, your Committee on Public Safety, having had under consideration House Bill No. 235, introduced by Loble and Keeley, respectfully report as follows:

That House Bill No. 235, do not pass.

HOLT, Chairman.

On motion of Holt, report adopted.

Mr. Speaker: We, your Committee on Public Health and Sanitary Affairs, having had under consideration House Bill No. 147, introduced by McCarty, respectfully report as follows:

That House Bill No. 147 do not pass.

E. M. LARSON, Chairman.

On motion of Holt, report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 339, introduced by Morris and Donaldson, respectfully report as follows:

That House Bill No. 339 do pass.

DONALDSON, Chairman.

On motion of Parkin, report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 394, introduced by Peat, Donaldson, and Reed, respectfully report as follows:

That House Bill No. 394, do pass.

DONALDSON, Chairman.

On motion of Parkin, report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 338, introduced by Morris and Donaldson, respectfully report as follows:

That House Bill No. 338 do pass.

DONALDSON, Chairman.

On motion of Parkin, report adopted.

Mr. Speaker: We, your Committee on Labor, having had under consideration House Memorial No. 4, introduced by Graybill, respectfully report as follows:

That House Memorial No. 4 be not printed and do pass.

FAIRGRIEVE, Chairman.

On motion of Fairgrieve, report adopted.

Mr. Speaker: We, your Committee on Labor, having had under consideration House Bill No. 351, introduced by Graybill, respectfully report as follows:

That House Bill No. 351 do not pass.

FAIRGRIEVE, Chairman.

On motion of Fairgrieve, report adopted.

Mr. Speaker: We, your Committee on Labor, having had under consideration House Bill No. 296, introduced by Loble and Keeley, respectfully report as follows:

That House Bill No. 296 do not pass.

FAIRGRIEVE, Chairman.

On motion of Fairgrieve, report adopted.

Mr. Speaker: We, your Committee on Irrigation and Water Rights, having had under consideration House Bill No. 251, introduced by Lincoln, respectfully report as follows:

That said House Bill No. 251 do not pass.

STRANGE, Chairman.

On motion of Strange, report adopted.

Mr. Speaker: We, your Committee on Irrigation and Water Rights, having had under consideration House Bill No. 268, introduced by Smith of Lewis and Clark, respectfully report as follows:

That House Bill No. 268 do not pass.

STRANGE, Chairman.

On motion of Strange, report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 415, introduced by J. T. Fitzgerald, et al., respectfully report as follows:

That House Bill No. 415 be referred to the Committee on Townships and Counties.

O. M. WOLD, Chairman.

On motion of Smith of Beaverhead, report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 244, introduced by Tinsley, respectfully report as follows:

That House Bill No. 244 be amended as follows:

That in Section 1, lines 1 and 2, the words and figures "One Thousand One Hundred Ninety (\$1190.00) Dollars" be stricken out and that there be inserted in lieu thereof the words and figures "Nine Hundred Thirty-eight Dollars (\$938.00)."

That in Section 2, lines 1 and 2, the words and figures "Twenty-six Hundred Five (\$2605.00) Dollars" be stricken out and that there be inserted in lieu thereof the words and figures "Two Thousand one Hundred Forty-four Dollars (\$2,144.00)."

And that when so amended, the bill do pass.

O. M. WOLD, Chairman.

On motion of Smith of Beaverhead, report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 382, introduced by Appropriations Committee, respectfully report as follows:

That House Bill No. 382 be amended as follows:

That in Section 1, on the third and fourth page of the bill, the last paragraph of said Section 1, beginning with the words "For the payment of" and ending with the figures "\$149.44" be stricken out.

And that the bill when so amended do pass.

O. M. WOLD, Chairman.

On motion of Smith of Beaverhead, report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 385, introduced by Appropriations Committee, respectfully report as follows:

That House Bill No. 385 be amended as follows:

That in Section 1, on the third page of bill, in line 9, the words and figures "Thirty-four Hundred Dollars (\$3,400.00)" be stricken out and that there be inserted in lieu thereof the words and figures "Fifteen Hundred Dollars (\$1,500.00)."

And that when so amended the bill do pass.

O. M. WOLD, Chairman.

On motion of Smith of Beaverhead, report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration Senate Bill No. 61, introduced by Corrington and Schnitzler, respectfully report as follows:

That Senate Bill No. 61 be concurred in.

O. M. WOLD, Chairman.

On motion of Smith of Beaverhead, report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration Senate Bill No. 63, introduced by Corrington and Schnitzler, respectfully report as follows:

That Senate Bill No. 63 be concurred in.

O. M. WOLD, Chairman.

On motion of Smith of Beaverhead, report adopted.

Mr. Speaker: We, your committee on Appropriations, having had under consideration Senate Bill No. 64, introduced by Corrington and Schnitzler, respectfully report as follows:

That Senate Bill No. 64 be concurred in.

O. M. WOLD, Chairman.

On motion of Smith of Beaverhead, report adopted.

Mr. Speaker: We, your committee on Appropriations, having had under consideration Senate Bill No. 65, introduced by Corrington and Schnitzler, respectfully report as follows:

That Senate Bill No. 65 be concurred in.

O. M. WOLD, Chairman.

On motion of Smith of Beaverhead, report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration Senate Bill No. 66, introduced by Corrington and Schnitzler, respectfully report as follows:

That Senate Bill No. 66 be concurred in.

O. M. WOLD, Chairman.

On motion of Smith of Beaverhead, report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration Senate Bill No. 67, introduced by Corrington and Schnitzler, respectfully report as follows:

That Senate Bill No. 67 be concurred in.

O. M. WOLD, Chairman.

On motion of Smith of Beaverhead, report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 358, introduced by Robert Larson, respectfully report as follows:

That House Bill No. 358 do not pass.

O. M. WOLD, Chairman.

On motion of Smith of Beaverhead, report adopted.



Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 383, introduced by Appropriations Committee, respectfully report as follows:

That House Bill No. 383 do pass.

O. M. WOLD, Chairman.

On motion of Smith of Beaverhead, report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 384, introduced by Appropriations Committee, respectfully report as follows:

That House Bill No. 384 do pass.

O. M. WOLD, Chairman.

On motion of Smith of Beaverhead, report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 206, introduced by Lincoln and Miller, Moss, respectfully report as follows:

That House Bill No. 283 do pass.

O. M. WOLD, Chairman.

On motion of Smith of Beaverhead, report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Joint Resolution No. 8, introduced by McAfee, respectfully report as follows:

That House Joint Resolution No. 8 be referred to Judiciary Committee.

O. M. WOLD, Chairman.

On motion of Smith of Beaverhead, report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 398, introduced by Nagle, respectfully report as follows:

That House Bill No. 398 do pass.

O. M. WOLD, Chairman.

On motion of Smith of Beaverhead, report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 206, introduced by Lincoln and Miller, respectfully report as follows:

That House Bill No. 206 do pass.

O. M. WOLD, Chairman.

On motion of Smith of Beaverhead, report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 435, introduced by Committee on Fish and Game, respectfully report as follows:

That House Bill No. 435 be amended:

By adding at the end of line 6, page 21, the following: "providing that \$5,000.00 of this fund be used in the payment of bounties as provided for under the law."

Also that it be amended by adding at the end of line 26 on page 22 the following: "Provided, however, that it will be lawful to catch white fish and ling in the Yellowstone and Missouri rivers, and ling in the Kootenai river, at any season of the year, with hook and line only."

And as so amended the committee recommends that the bill do pass.

SALES, Chairman.

On motion of Hawley, report adopted.

Mr. Speaker: We, your Committee on State Lands, having had under consideration House Bill No. 437, introduced by Committee on State Lands, respectfully report as follows:

That House Bill No. 437 be amended to read as follows, to-wit:

On page 4, line 3, after the word "days" insert the words "from date of foreclosure sale."

And that thus amended, we recommend that House Bill No. 437 do pass.  
HOLTON, Chairman.

On motion of Holton, report adopted.

Mr. Speaker: We, your Committee on State Lands, having had under consideration House Bill No. 413, introduced by Fitzgerald of Silver Bow, respectfully report as follows:

That House Bill No. 413 do not pass.

HOLTON, Chairman.

On motion of Holton, report adopted.

Mr. Speaker: We, your Committee on State Lands, having had under consideration House Joint Resolution No. 9, introduced by Holton, respectfully report as follows:

That House Joint Resolution No. 9 do pass.

HOLTON, Chairman.

On motion of Holton, report adopted.

Mr. Speaker: We, your committee on Agriculture, having had under consideration House Bill No. 431, introduced by Fitzgarrald of Ravalli, by request, respectfully report as follows:

That House Bill No. 431 be re-referred to the Committee on Dairies and Dairying.

HANSON, Chairman.

On motion of Gordon, report adopted.

Mr. Speaker: We, your Committee on Agriculture, having had under consideration House Bill No. 312, introduced by Walton, respectfully report as follows:

That House Bill No. 312 do pass.

HANSON, Chairman.

On motion of Gordon, report adopted.

Mr. Speaker: We, your Committee on Agriculture, having had under consideration House Bill No. 320, introduced by Shields, respectfully report as follows:

That House Bill No. 320 be amended as follows:

Section 3. By adding to Section 3, the following: "It shall be the duty of the Commissioner of Agriculture to intervene in the interest of claimants in cases of insolvency, violations of the provisions of Section 2 of this Act, or failures to report upon or pay for farm produce received by any such licensee. The Commissioner of Agriculture shall have power to demand payment of its undertaking by the surety upon any bond given under this Act and it shall be the duty of the Attorney General or any County Attorney of this State to represent the Commissioner of Agriculture in any necessary action against such bond when facts constituting grounds for action are laid before him."

and when amended, that House Bill No. 320 do pass.

HANSON, Chairman.

On motion of Larsen of Sheridan, report adopted.

Mr. Speaker: We, your committee on Ways and Means, having had under consideration House Bill No. 405, introduced by Joffray, respectfully report as follows:

That House Bill No. 405 do not pass.

TROY, Chairman.

On Motion of Troy, report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 324, introduced by Donaldson, respectfully report as follows:

That House Bill No. 324 do pass.

TROY, Chairman.

On Motion of Troy, report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 35, introduced by Wuerthner, respectfully report as follows:

That House Bill No. 35 be printed and placed on General Orders.

TROY, Chairman.

On Motion of Troy, report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 333, introduced by Moriarty, respectfully report as follows:

That House Bill No. 333 do pass.

TROY, Chairman.

On Motion of Troy, report adopted.

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration House Bill No. 392, introduced by Harris, respectfully report as follows:

That House Bill No. 392 do pass.

HARRIS, Chairman.

On motion of Harris, report adopted.

Mr. Speaker: We, your Committee on State Lands, having had under consideration House Bill No. 403, introduced by Committee on State Lands, respectfully report as follows:

That House Bill No. 403 do pass.

HOLTON, Chairman.

On motion of Hawley, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 33, introduced by Besancon, respectfully report as follows:

That House Bill No. 33 be amended as follows:

By amending Section 9, by striking therefrom the following: "its passage and approval" and inserting in lieu thereof, "January 1st, 1926." and that as amended it do pass.

BURNS, Chairman.

On motion of Burns, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 335, introduced by Burns, respectfully report as follows:

That House Bill No. 335 be amended as follows:

By amending the title by inserting before "An", the following, "A Bill for an Act entitled."

By inserting between lines 6 and 7, page 1, the following: "Be it enacted by the Legislative Assembly of the State of Montana."

By inserting before the figure "1" in line 25' page 4, the following, "Section 11."

By adding in line 4, page 7, before the figure "1", the following "Section 12."

By adding in line 27, page 11, before the figure "1", the following, "Section 15."

By striking the word "personally" in line 27, page 13, therefrom, and inserting in lieu thereof the word "presently."



By striking the word "each" in line 27, page 16, therefrom and inserting in lieu thereof the word "such."

By adding in line 13, page 17, before the figure "1", the following, "Section 18."

and that as amended the bill do pass.

BURNS, Chairman.

On motion of Burns, report adopted.

Mr. Speaker: We, your Committee on Insurance, having had under consideration Senate Bill No. 82, introduced by Committee on Insurance, respectfully report as follows:

That Senate Bill No. 82 be concurred in.

PEAT, Vice Chairman.

On motion of Peat, report adopted.

### INTRODUCTION OF BILLS AND MEMORIALS

The following bills were introduced, read first and second times, by history and title only, and referred to committees as follows:

Senate Bill No. 39, introduced by Page. "An Act providing for carrying out the provisions of Sections 1999 and 2000, of the Revised Codes of Montana for 1921, relating to classification of taxable property, and providing the duties of the various county and state officers in relation thereto." Referred to Committee on Revenue and Taxation.

Senate Bill No. 56, introduced by Smith. "An Act to amend Section 618 of the Revised Codes of Montana of 1921, relating to when and where certificates of nomination to state, county and municipal offices must be filed, and providing that the provisions of this Act shall not be held to apply to nominations for special elections to fill vacancies." Referred to Committee on Privileges and Elections.

Senate Bill No. 84, introduced by Watson. "An Act to amend Section 619 of the Revised Codes of Montana of 1921, relating to the time secretary of State must certify to the county clerk, names of persons nominated." Referred to Committee on Privileges and Elections.

Senate Bill No. 96, introduced by Stewart. A Bill for an Act entitled: "An Act regulating foreign corporations doing business in this State; designating the fees to be paid by such corporations for filing in the office of the Secretary of State copies of their charter or articles of incorporation, and defining the manner of computing the same; requiring the filing of reports and the making of statements by such corporations and repealing Chapter 132 of the Laws of the Eighteenth Legislative Assembly of Montana of 1923 and all other Acts in conflict herewith." Referred to Committee on Corporations other than Municipal.

Senate Bill No. 101, introduced by Griffin. A Bill for an Act entitled: "An Act to amend Section 6039 of the Revised Codes of Montana of 1921, relating to the investment of capital of savings banks." Referred to Committee on Banks and Banking.

### MOTIONS AND RESOLUTIONS

Moved by Graybill duly seconded and carried, that House Memorial No. 4 be placed at the head of the list of General Orders.

Moved by Flachsenhar, duly seconded and carried, that House Bills No. 276 and No. 277 be placed second and third, respectively, on list of General Orders.

Moved by Holt, duly seconded and carried, that House Bill No. 310 be taken from General Orders and referred to Committee on Irrigation and Water Rights.

Moved by Smith of Lewis and Clark, duly seconded and carried, that House Bill No. 445 be taken from Committee on Apportionment and Representation and referred to Committee on Constitutional Amendments.

Moved by Strange, duly seconded and carried, that House Bill No. 255 be taken from General Orders and referred to Committee on Irrigation and Water Rights.

#### CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

The following message was received from the Governor:

Helena, February 14 1925

The Speaker,  
House of Representatives,  
Helena, Montana.

I have the honor to advise you that I have this day approved the following measures:

H. B. 26, Relating to powers of persons whose incapacity has been adjudged.

H. B. 110, Relating to the payment of any fee or amount in advance by officers of the State, County or a municipality during the prosecution or defense of an action.

H. B. 154, Relating to accredited high schools maintained by joint high school districts.

J. E. ERICKSON, Governor.

The following messages were received from the Senate:

Helena, Montana, February 14, 1925

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times and concurred in, title agreed to, and are herewith returned to the House:

House Bill No. 108, by Davis, Flachsenhar, McAfee, Moss, Smith and Waite.

House Bill No. 105, by McAfee.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 14, 1925

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that H. B. No. 36, by Hanson of Daniels and Nelson of Phillips was this day read third time and not concurred in, and is herewith returned to the House.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 14, 1925

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee of the Whole, having had under consideration H. B. No. 173, by Duncan, recommend that the bill be indefinitely postponed. Report adopted and the bill is herewith returned to the House.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 14, 1925

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times and passed, title agreed to, and are herewith transmitted to the House for concurrence:

S. B. No. 39, by Page.

S. B. No. 84, by Watson.

S. B. No. 56, by Smith.

S. B. No. 96, by Stewart.

S. B. No. 101, by Griffin.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 14, 1925

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee of the Whole, having had under consideration Business on General File, report as follows:

That S. B. No. 99 do pass.

That Sub. for S. B. No. 34 be amended in Section one by striking out in line eleven of the printed bill the word "enrollment" and inserting in lieu thereof the words "average number of pupils attending school", and that as amended, it do pass.

That consideration of S. B. No. 83 be passed for the day.

That S. B. No. 88 be amended in Section 1, by adding in line 10 after the word "trustee" the words "from a list submitted to him by the trustees of such association" and also add the same words after the word "appoint" in line 20 of the same section, and that, as amended it do pass.

That S. B. No. 93 do pass.

That S. B. No. 94 do pass.

That S. B. No. 95 do pass.

That consideration of S. B. No. 122 be passed for the day.

That S. B. No. 124 do pass.

That S. B. No. 127 do pass.

That H. B. No. 214 be amended in Section 2, by striking out in line 5 the word "thirty" and inserting in lieu thereof the word "five" and that, as so amended, same do pass.

That H. J. R. No. 4 be concurred in.

That H. B. No. 34 be concurred in.

That H. B. No. 83 be concurred in.

That H. B. No. 107 be concurred in.

That H. B. No. 172 be amended in Section 1 by inserting in line four, before the word "must" the words "under salary", adding a coma before and after the words inserted, and that, as so amended, it be concurred in.

That consideration of S. B. No. 173 be indefinitely postponed.

That H. B. No. 179 be concurred in.

That H. B. No. 186 be concurred in.

That H. B. No. 202 be concurred in.

That H. B. No. 112 be concurred in as amended.

That the Committee arise and report progress.

Report adopted.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 14, 1925

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Standing Committees have this day made the following reports:

Committee on Fish and Game report that House Bill No. 85 be concurred in. On motion, same was re-referred to Fish and Game Committee.

Committee on Counties and Towns report that House Bill No. 260, be not concurred in. On motion, same was re-referred to Committee on Counties and Towns.

Committee on Counties and Towns report that House Bill No. 211 be concurred in.

Committee on Fish and Game report that House Bill No. 192 be concurred in.



Committee on Finance and Claims report that House Bill No. 119 be concurred in.

Reports adopted.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 14, 1925

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read first and second times and referred to the Standing Committees:

H. B. No. 145 Irrigation.

H. B. No. 168 Finance and Claims.

H. B. No. 197 Finance and Claims.

H. B. No. 238 Taxation.

H. B. No. 247 Banks and Banking.

H. B. No. 256 Irrigation.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 14, 1925

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day introduced and referred to the Standing Committees:

S. B. No. 147, by Greenup: A Bill for an Act entitled: "An Act providing for the adjustment of auto license fees, heretofore remitted by the State of Montana to the several counties of the State, between counties whose boundaries have been changed, altered or adjusted on account of the formation of new counties which have failed in any way to participate in the proceeds thereof, providing for a method of making such adjustment and the payment thereof by the County Treasurer of the old county of which the new county formed a part prior to its organization." Referred to Committee on New Counties and Divisions.

S. B. No. 148, by Survant: A Bill for an Act entitled: "An Act providing the terms for which State Senators, Clerks of the District Court and County Commissioners shall hold office, where elected at a special election held for the purpose of voting upon the creation of a new county." Referred to Committee on Elections and Privileges.

S. B. No. 149, by Muffly: A Bill for an Act entitled: "An Act to create a State Fish and Game Commission and to amend Section 3653 of the Revised Codes of Montana, 1921, and to repeal Sections 3650, 3651, 3652 and 3654 of the Revised Codes of Montana, 1921." Referred to Committee on Fish and Game.

S. B. No. 150, by Linn: A Bill for an Act entitled: "An Act to amend Sections 4402 and 4403 of the Revised Codes of Montana, 1921, relating to the transcribing of public records upon the creation of new counties." Referred to Committee on New Counties and Divisions.

S. J. R. No. 9, by Gilboe, relating to irrigation projects on the Black-foot Indian Reservation.

S. J. R. No. 10, by Church: Relating to Pacific Northwest Commercial and Industrial Exposition.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 14, 1925

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following bills were this day introduced and referred to the Standing Committees:

S. B. No. 151, by Church: A Bill for an Act entitled: "An Act amending Section 3076 of the Revised Codes of Montana of 1921, relating

to regulating and limiting the hours of employment for female employees, and governing the conditions under which female employees shall work in certain industries." Referred to Committee on Labor and Capital.

S. B. No. 152, by Peterson and Survant: A Bill for an Act entitled: "An Act creating a State Highway Department, providing for a State Highway Commission, and defining its powers and duties; assenting to the terms of the Federal Aid Act, transferring certain funds to the General Fund of the State, and repealing Sections 1783, 1784, 1785, 1786, 1787, 1788, 1789, 1790, 1791, 1792, 1799, 1800, and 1802 of the Revised Codes of Montana of 1921." Referred to Committee on Roads and Highways.

S. B. No. 153, by Watson: A Bill for an Act entitled: "An Act to amend Section 5251 of the Revised Codes of Montana, 1921, relating to the certification of special assessments to the county clerk and the collection of special assessments by cities and towns, and providing for the manner of payment of special assessments, the time when the same shall become delinquent, and the penalty and interest for delinquent special assessments." Referred to Committee on Taxation.

S. B. No. 154, by Clark: A Bill for an Act entitled: "An Act amending Sections 1421, 1429 and 1452 of the Revised Codes of Montana, 1921, relating to the commitment, discharge, parole and deportation of patients committed to the state hospital for the insane." Referred to Committee on Judiciary.

S. B. No. 155, by Cooper: A Bill for an Act entitled: "An Act to amend Section 6 of Chapter 154, Session Laws of 1923, relating to bonds and insurance policies required to be filed under said Act." Referred to Committee on Insurance.

S. B. No. 156, by Stewart: A Bill for an Act entitled: "An Act to amend Section 12427 of the Revised Codes of Montana, 1921, relating to fugitives from this state and payment of expense for return of such fugitives." Referred to Committee on Judiciary.

S. B. No. 157, by McCormick: A Bill for an Act entitled: "An Act to amend Section 3697 of the Session Laws of the Eighteenth Legislative Assembly of Montana of 1923, relating to the open and closed season for deer." Referred to Committee on Fish and Game.

S. B. No. 158, by Oliver: A Bill for an Act entitled: "An Act to amend Section 6080 of the Revised Codes of the State of Montana of 1921 relating to the expenses of the Superintendent of Banks." Referred to Committee on Banks and Banking.

Respectfully,

J. F. CONE, Secretary of Senate.

### THIRD READING OF SENATE BILLS

Senate Bill No. 7, by Committee on Finance and Claims, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Brandt, Budas, Burns, Campbell, Caplis, Castles, Clarke, Cusick, Davis, Dellwo, Duncan, Fairgrieve, Fitzgerald, Flachsenhar, Fletcher, Flynn, Gordon, Green, Hanson, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Johnson (Fergus), Johnson (Valley), Keeley, Kennedy, Kinville, Larsen (Sheridan), Larson (Sheridan), Lincoln, Masters, Meagher, Merritt, Miller, Moriarty, Moulton, Mulholland, Murphy, McAfee, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Rice, Ruffcorn, Rupert, Ryder, Sales, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Strange, Throssel, Tinsley, Troy, Waite, Walker, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—75.

Noes: None.

Absent and not voting: Berryman, Besancon, Donaldson, Doran, Eaton, Fitzgarrald, Fox, Graybill, Hardcastle, Holton, Joffray, Kelly, Larson (Cas-

cade), Leavens, Lemmon, Loble, Morris, Moss, McCarty, McGrath, Nagle, Nelson, Reed, Shields, Stoddard, Wold. Total—26.

### THIRD READING OF HOUSE BILLS

Senate Amendments to House Bill No. 32 were concurred in by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Campbell, Caplis, Castles, Clarke, Cusick, Davis, Dellwo, Duncan, Fairgrieve, Fitzgerald, Flachsenhar, Fletcher, Flynn, Fox, Gordon, Graybill, Green, Hanson, Harris, Hawley, Hedrick, Hoffman, Holt, Johnson (Fergus), Johnson (Valley), Keeley, Kennedy, Kinville, Larsen (Sheridan), Larson (Sheridan), Lincoln, Masters, Meagher, Merritt, Miller, Moss, Moulton, Mulholland, Murphy, McAfee, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Rice, Ruffcorn, Rupert, Ryder, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Strange, Throssel, Tinsley, Troy, Waite, Walker, Walton, White, Zeh, Mr. Speaker. Total—76.

Noes: None.

Absent and not voting: Burns, Donaldson, Doran, Eaton, Fitzgarrald, Hardcastle, Higham, Holton, Joffray, Kelly, Larson (Cascade), Leavens, Lemmon, Loble, Moriarty, Morris, McCarty, McGrath, Nagle, Reed, Sales, Shields, Stoddard, Wold, Wuerthner. Total—25.

Senate amendments to House Bill No. 64, were concurred in by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Campbell, Caplis, Castles, Clarke, Cusick, Davis, Dellwo, Duncan, Flachsenhar, Fletcher, Flynn, Fox, Gordon, Green, Hanson, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Johnson (Fergus), Johnson (Valley), Keeley, Kennedy, Kinville, Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Masters, Meagher, Merritt, Miller, Moriarty, Morris, Moss, Moulton, Mulholland, Murphy, McAfee, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Peterson, Plank, Plumer, Rice, Ruffcorn, Rupert, Ryder, Sales, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Strange, Throssel, Tinsley, Waite, Walker, Walton, White, Zeh, Mr. Speaker. Total—79.

Noes: None.

Absent and not voting: Burns, Donaldson, Doran, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Graybill, Hardcastle, Joffray, Kelly, Larson (Cascade), Lemmon, Loble, McCarty, Peat, Reed, Shields, Stoddard, Troy, Wold, Wuerthner. Total—22.

Senate amendments to House Bill No. 14, were concurred in by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Campbell, Caplis, Castles, Clarke, Cusick, Davis, Dellwo, Fairgrieve, Flachsenhar, Flynn, Fox, Gordon, Graybill, Green, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Johnson (Fergus), Johnson (Valley), Keeley, Kennedy, Kinville, Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Masters, Meagher, Merritt, Miller, Moriarty, Morris, Moss, Moulton, Mulholland, Murphy, McAfee, Nagle, Nelson, Nelstead, Parkin, Peat, Plank, Plumer, Rice, Ruffcorn, Rupert, Ryder, Sales, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Tinsley, Waite, Walker, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—77.

Noes: None.

Absent and not voting: Burns, Donaldson, Doran, Duncan, Eaton, Fitzgarrald, Fitzgerald, Fletcher, Hanson, Hardcastle, Harris, Joffray, Kelly, Larson (Cascade), Lemmon, Loble, McCarty, McGrath, Patterson, Peterson, Reed, Shields, Troy, Wold. Total—24.



Senate amendments to House Bill No. 49, were concurred in by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Berryman, Brandt, Budas, Campbell, Clarke, Cusick, Davis, Dellwo, Duncan, Fitzgerald, Flachsenhar, Fletcher, Flynn, Fox, Gordon, Graybill, Green, Hawley, Higham, Hoffman, Holt, Holton, Johnson (Fergus), Johnson (Valley), Keeley, Kennedy, Kinville, Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Meagher, Merritt, Miller, Moriarty, Morris, Mulholland, Murphy, McAfee, Nagle, Nelson, Nelstead, Parkin, Peat, Plumer, Reed, Rice, Ruffcorn, Sales, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Strange, Throssel, Tinsley, Troy, Waite, Walker, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—68.

Noes: None.

Absent and not voting: Bergstrom, Besancon, Burns, Caplis, Castles, Donaldson, Doran, Eaton, Fairgrieve, Fitzgarrald, Hanson, Hardcastle, Harris, Hedrick, Joffray, Kelly, Larson (Cascade), Lemmon, Loble, Masters, Moss, Moulton, McCarty, McGrath, Patterson, Peterson, Plank, Rupert, Ryder, Schoening, Shields, Stoddard, Wold. Total—33.

House Bill No. 262, by Loble, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Campbell, Caplis, Castles, Clarke, Cusick, Davis, Dellwo, Duncan, Fairgrieve, Fitzgerald, Flachsenhar, Fletcher, Flynn, Fox, Gordon, Graybill, Green, Hanson, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Johnson (Fergus), Johnson (Valley), Keeley, Kennedy, Kinville, Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Masters, Meagher, Merritt, Miller, Moriarty, Morris, Moss, Moulton, Mulholland, Murphy, McCarty, Nagle, Nelson, Nelstead, Parkin, Patterson, Peat, Plank, Plumer, Rice, Ruffcorn, Rupert, Sales, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Tinsley, Troy, Waite, Walton, White, Wuerthner, Mr. Speaker. Total—80.

Noes: None.

Absent and not voting: Burns, Donaldson, Doran, Eaton, Fitzgarrald, Hardcastle, Harris, Joffray, Kelly, Larson (Cascade), Lemmon, Loble, McAfee, McGrath, Peterson, Reed, Ryder, Shields, Walker, Wold, Zeh. Total—21.

House Bill No. 203 by Caplis and Kinville, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Caplis, Castles, Clarke, Cusick, Davis, Dellwo, Donaldson, Duncan, Fairgrieve, Flachsenhar, Fletcher, Flynn, Fox, Gordon, Graybill, Green, Hanson, Hawley, Higham, Hoffman, Holt, Holton, Johnson (Fergus), Keeley, Kennedy, Kinville, Larsen (Sheridan), Larson (Sheridan), Lincoln, Masters, Merritt, Miller, Moriarty, Morris, Moss, Moulton, Murphy, McGrath, Nagle, Nelson, Nelstead, Patterson, Peat, Peterson, Plank, Plumer, Reed, Ruffcorn, Rupert, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Strange, Throssel, Tinsley, Troy, Waite, Walker, White, Wuerthner, Zeh, Mr. Speaker. Total—73.

Noes: Beadle, Campbell, Fitzgerald, Mulholland. Total—4.

Absent and not voting: Doran, Eaton, Fitzgarrald, Hardcastle, Harris, Hedrick, Joffray, Johnson (Valley), Kelly, Larson (Cascade), Leavens, Lemmon, Loble, Meagher, McAfee, Parkin, Rice, Ryder, Sales, Shields, Stoddard, Wold. Total—22.

Present and not voting: McCarty, Walton. Total—2.

House Bill No. 281 by Committee on Horticulture, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth Akofer Anderson, Beadle, Bergstrom, Berryman, Budas, Burns, Campbell, Caplis, Castles, Clarke, Cusick, Davis, Dellwo, Duncan, Fairgrieve, Fitzgerald, Flachsenhar, Fletcher, Flynn, Fox, Gordon, Graybill, Green, Hawley, Higham, Hoffman, Holt, Holton, Johnson (Fergus), Johnson (Valley), Keeley, Kennedy, Kinville, Larsen (Sheridan), Larson (Sheridan), Lincoln, Masters, Meagher, Merritt, Miller, Moriarty, Morris, Moulton, Mulholland, Murphy, McCarty, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Reed, Ruffcorn, Rupert, Ryder, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Strange, Throssel, Tinsley, Troy, Waite, Walker, White, Wuerthner, Zeh, Mr. Speaker. Total—74.

Noes: None.

Absent and not voting: Andrus, Besancon, Brandt, Donaldson, Doran, Eaton, Fitzgarrald, Hanson, Hardcastle, Harris, Hedrick, Joffray, Kelly, Larson (Cascade), Leavens, Lemmon, Loble, Moss, McAfee, McGrath, Nagle, Rice, Sales, Shields, Stoddard, Walton, Wold. Total—27.

House Bill No. 241, by Committee on Revenue and Taxation, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Castles, Clarke, Cusick, Davis, Dellwo, Duncan, Fairgrieve, Fitzgerald, Flachsenhar, Fletcher, Flynn, Fox, Gordon, Graybill, Green, Hanson, Harris, Hawley, Higham, Holt, Johnson (Fergus), Johnson (Valley), Keeley, Kennedy, Kinville, Larsen (Sheridan), Larson (Sheridan), Lincoln, Masters, Meagher, Merritt, Miller, Moriarty, Morris, Moulton, Mulholland, Murphy, McAfee, McCarty, Nelson, Nelstead, Parkin, Patterson, Peterson, Plank, Plumer, Reed, Rice, Ruffcorn, Rupert, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Strange, Throssel, Tinsley, Troy, Waite, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—76.

Noes: None.

Absent and not voting: Caplis, Donaldson, Doran, Eaton, Fitzgarrald, Hardcastle, Hedrick, Hoffman, Holton, Joffray, Kelly, Larson (Cascade), Leavens, Lemmon, Loble, Moss, McGrath, Nagle, Peat, Ryder, Sales, Shields, Stoddard, Walker, Wold. Total—25.

House Bill No. 239 by Committee on Revenue and Taxation, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Castles, Clarke, Cusick, Davis, Dellwo, Duncan, Fairgrieve, Fitzgerald, Flachsenhar, Fletcher, Flynn, Fox, Gordon, Graybill, Green, Hanson, Harris, Hawley, Hedrick, Higham, Holt, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kennedy, Kinville, Larsen (Sheridan), Larson (Sheridan), Lincoln, Masters, Meagher, Merritt, Miller, Moriarty, Morris, Moulton, Mulholland, Murphy, McAfee, Nelson, Nelstead, Parkin, Patterson, Peterson, Plank, Plumer, Rice, Ruffcorn, Rupert, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Strange, Throssel, Tinsley, Troy, Waite, Walker, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—77.

Noes: None.

Absent and not voting: Caplis, Donaldson, Doran, Eaton, Fitzgarrald, Hardcastle, Hoffman, Holton, Joffray, Larson (Cascade), Leavens, Lemmon, Loble, Moss, McCarty, McGrath, Nagle, Peat, Reed, Ryder, Sales, Shields, Stoddard, Wold. Total—24.

House Bill No. 240 by Committee on Revenue and Taxation, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Campbell, Castles, Cusick, Davis, Dell-



wo, Doran, Duncan, Fairgrieve, Fitzgerald, Flachsenhar, Fletcher, Flynn, Fox, Graybill, Green, Hanson, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kennedy, Kinville, Larsen (Sheridan), Larson (Sheridan), Lincoln, Masters, Meagher, Merritt, Miller, Moriarity, Morris, Moulton, Mulholland, Murphy, McAfee, Nelson, Nelstead, Parkin, Patterson, Peat, Plank, Plumer, Rice, Ruffcorn, Rupert, Ryder, Sales, Schoening, Smith (Beaverhead), Steeves, Strange, Throssel, Tinsley, Troy, Walker, Walton, White, Wuerthner, Zeh, Clarke, Mr. Speaker. Total—77.

Noes: None.

Absent and not voting: Burns, Caplis, Donaldson, Eaton, Fitzgarrald, Gordon, Hardcastle, Holton, Joffray, Larson (Cascade), Leavens, Lemmon, Loble, Moss, McCarty, McGrath, Nagle, Peterson, Reed, Shields, Smith (Lewis and Clark), Stoddard, Waite, Wold. Total—24.

House Bill No. 205 by Campbell, Peat and Besancon, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Anderson, Andrus, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Castles, Clarke, Cusick, Davis, Dellwo, Donaldson, Duncan, Fairgrieve, Flachsenhar, Fletcher, Flynn, Gordon, Graybill, Green, Hanson, Harris, Hawley, Hedrick, Higham, Holt, Holton, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kennedy, Kinville, Larsen (Sheridan), Larson (Sheridan), Masters, Merritt, Miller, Moriarity, Morris, Moss, Moulton, Murphy, McAfee, McCarty, McGrath, Nelson, Nelstead, Parkin, Patterson, Peat, Plank, Plumer, Reed, Rice, Ruffcorn, Rupert, Ryder, Sales, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Strange, Throssel, Tinsley, Troy, Waite, Walker, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—78.

Noes: Akofer, Beadle, Fox, Mulholland, Fitzgerald. Total—5.

Absent and not voting: Caplis, Doran, Eaton, Fitzgarrald, Hardcastle, Hoffman, Joffray, Larson (Cascade), Leavens, Lemmon, Lincoln, Loble, Meagher, Nagle, Peterson, Shields, Stoddard, Wold. Total—18.

House Bill No. 218 by Besancon, having been read three several time, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Castles, Cusick, Davis, Dellwo, Doran, Duncan, Fairgrieve, Flachsenhar, Fletcher, Flynn, Fox, Gordon, Graybill, Green, Hanson, Hardcastle, Harris, Hawley, Higham, Hoffman, Holt, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kennedy, Kinville, Larson (Sheridan), Larson (Sheridan), Lincoln, Masters, Meagher, Merritt, Miller, Moriarity, Moss, Moulton, Mulholland, Murphy, McAfee, McCarty, McGrath, Nagle, Nelstead, Parkin, Patterson, Plank, Plumer, Rice, Rupert, Ryder, Sales, Schoening, Smith (Beaverhead), Steeves, Strange, Throssel, Tinsley, Waite, Walker, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—75.

Noes: None.

Absent and not voting: Andrus, Beadle, Caplis, Clarke, Donaldson, Eaton, Fitzgarrald, Fitzgerald, Hedrick, Holton, Joffray, Larson (Cascade), Leavens, Lemmon, Loble, Morris, Nelson, Peat, Peterson, Reed, Ruffcorn, Shields, Smith (Lewis and Clark), Stoddard, Troy, Wold. Total—26.

House Bill No. 284 by Committee on Livestock and Public Ranges, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Castles, Clarke, Cusick, Davis, Dellwo, Doran, Duncan, Fairgrieve, Fitzgerald, Flachsenhar, Fletcher, Flynn, Fox, Gordon, Graybill, Green, Hanson, Hardcastle, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kennedy, Kinville, Larsen (Sheridan), Larson (Sheridan), Lincoln, Masters, Meagher, Merritt, Miller, Moriarity, Morris, Moss,



Moulton, Mulholland, Murphy, McAfee, McCarty, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Rice, Ruffcorn, Rupert, Ryder, Sales, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Tinsley, Troy, Walker, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—87.

Noes: Waite. Total—1.

Absent and not voting: Ainsworth, Caplis, Donaldson, Eaton, Fitzgarrald, Joffray, Larson (Cascade), Leavens, Lemmon, Loble, Reed, Shields, Wold. Total—13.

House Bill No. 252, by Burns, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Bergstrom, Berryman, Brandt, Budas, Burns, Campbell, Caplis, Castles, Clarke, Cusick, Davis, Dellwo, Doran, Duncan, Fairgrieve, Fitzgerald, Flachsenhar, Fletcher, Fox, Gordon, Graybill, Green, Hanson, Harris, Hawley, Hedrick, Hoffman, Holton, Johnson (Fergus), Johnson (Valley), Keeley, Kennedy, Kinville, Larsen (Sheridan), Lincoln, Masters, Meagher, Merritt, Moriarity, Morris, Moulton, Mulholland, Murphy, McCarty, McGrath, Nagle, Nelstead, Parkin, Patterson, Peterson, Plank, Plumer, Ruffcorn, Rupert, Ryder, Sales, Schoening, Smith (Beaverhead), Steeves, Strange, Throssel, Tinsley, Waite, Walker, Walton, White, Mr. Speaker. Total—71.

Noes: None.

Absent and not voting: Beadle, Donaldson, Eaton, Fitzgerald, Flynn, Hardcastle, Higham, Holt, Joffray, Kelly, Larson (Cascade), Larson (Sheridan), Leavens, Lemmon, Loble, Miller, Moss, McAfee, Nelson, Peat, Reed, Rice, Shields, Smith (Lewis and Clark), Stoddard, Troy, Wold, Wuerthner, Zeh, Besancon. Total—30.

House Bill No. 204 by Donaldson, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Castles, Clarke, Cusick, Davis, Dellwo, Fairgrieve, Fitzgerald, Flachsenhar, Fletcher, Flynn, Fox, Gordon, Graybill, Green, Hardcastle, Harris, Hedrick, Higham, Hoffman, Johnson (Fergus), Johnson (Valley), Kelly, Kennedy, Kinville, Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Masters, Meagher, Merritt, Miller, Moriarity, Morris, Moss, Moulton, Mulholland, Murphy, McAfee, McCarty, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Rice, Ruffcorn, Rupert, Ryder, Sales, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Tinsley, Waite, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—80.

Noes: None.

Absent and not voting: Beadle, Caplis, Donaldson, Doran, Duncan, Eaton, Fitzgarrald, Hanson, Hawley, Holt, Holton, Joffray, Kelly, Larson (Cascade), Lemmon, Loble, Reed, Shields, Troy, Walker, Wold. Total—21.

The enrolling Committee reported as follows:

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled:

House Bills 64, 49, 14, 32.

McAFEE, Chairman.

The Printing Committee reported as follows:

Mr. Speaker: We, your Committee on Printing, beg leave to report the following bills correctly printed:

House Bills 254, 248, 340, 341, 305, 342, 308, 334, 313, 86, 361, 315, 317, 368, 344, 222, 343, 369, 373; Substitute House Bills 59 139.; House Resolution No. 2.

FRED W. ZEH, Chairman.

The following telegram from the mayor of Philadelphia, was received, read and referred to Committee on Development and Publicity.

Philadelphia Pennsylvania, February 14, 1925.

The Speaker of the Assembly, Helena, Montana.

After conferring today with a delegation of prominent Pennsylvanians headed by the mayor of Philadelphia and vigorously supported by Secretary Hoover, President Coolidge signified his approval of the coming sesqui centennial exhibition and the scope by dispatching within the hour a special message to Congress recommending that immediate action be taken by that body on appropriate legislation. The President will officially invite all foreign governments to participate and will request that units of their naval fleets be dispatched to Philadelphia for participation in the celebration and to remain during the term of the exhibition. The international aspect of the sesqui centennial is now assured and we are confident that more foreign governments will be represented on this occasion of the celebration of the birth of our independence than have ever before participated in any exposition. The State Department will immediately notify the nations of the world by cable through diplomatic channels and the formal invitation will be sent by mail, and we have every assurance that foreign participation will be on a large scale. The exhibition will open on June fourteenth, Flag Day, nineteen twenty-six, and will extend well into the fall of that year. Ample space has been provided for state buildings on the ground or if desired arrangements can be made for space in our building. The time is short but it gives us one more opportunity to display American initiative and capability. Many states have made provision for representation and if your state has not already done so may we urge upon you the necessity of prompt action in order that you may be adequately represented at the first great exposition to be held in the eastern center of population since eighteen seventy-six, held as that was in the same cradle of American liberty. We suggest that your participation if possible take form of an appropriate building to house the official educational and commercial exhibits as selected by your state departments to demonstrate to the world your manufactures, commerce, mineral and agricultural products. May we ask your support and invaluable aid in the Assembly for this important project. Let's go.

W. FREELAND KENDRICK,

Mayor of Philadelphia and President of the Sesqui Centennial.

D. C. COLLIER, Director General.

At the request of Holt, there being no objections, House reverted to Order of Business No. 6:

#### MOTIONS AND RESOLUTIONS

Moved by Holt, duly seconded and carried, that House reconsider its action on House Bill No. 333.

Moved by Holt, duly seconded and carried, that House Bill No. 333 be referred to Committee on Affairs of Cities.

Moved by Bergstrom, duly seconded, that House now resolve itself into Committee of the Whole for Consideration of General Orders.

Moved by Larson, as substitute motion, duly seconded, that House recess until 1:30 P. M.

Question arising on substitute motion, same carried.

#### AFTERNOON SESSION

House resumed at 1:30 P. M.

Mr. Speaker in the chair.

#### MOTIONS AND RESOLUTIONS

Moved by Davis, duly seconded, that House reconsider its action on House Bill No. 445.



Moved by Walton, as substitute motion, that motion by Davis be laid on the table.

Question arising on substitute motion, same carried.

Moved by Flachsenhar, duly seconded and carried, that House Bill No. 425 be recalled from Committee on Townships and Counties and be referred to Committee on Affairs of Cities.

Moved by Hanson, duly seconded and carried, that House Bill No. 161 be taken from General Orders and referred to Agriculture Committee.

There being no objections, House reverted to Order of Business No. 5:

### REPORT OF STANDING COMMITTEES

The following reports were received from Standing Committees:

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 438: A Bill for an Act entitled: "An Act amending Sections 11052 and 11053 of the Revised Codes of Montana, 1921, relating to prescription of liquor, and penalties for violation, and repealing Sections 11097 and 11098 of the Revised Codes of Montana, 1921, relating to prescriptions," respectfully report as follows: That House Bill No. 438 be printed and placed on General Orders.

TROY, Chairman.

Moved by Troy, duly seconded, that report be adopted.

Moved by Morris, as substitute motion, that House Bill No. 438 be referred to Public Morals Committee.

Question arising on substitute motion, same is lost.

Question now arising on original motion, same carried.

Mr. Speaker: We, your Committee on New Counties and Divisions, having had under consideration House Bill No. 442, introduced by Lincoln: A Bill for an Act entitled: "An Act to change and alter the boundaries between Fergus County on one side and Judith Basin County on the other side, so as to include within Judith Basin County and to become part and parcel thereof, and exclude from Fergus County, part of five townships in the extreme western part of Fergus County, immediately contiguous to Judith Basin County; to fix and establish as far as possible said boundary lines on section lines, and to provide that Judith Basin shall, at its expense transcribe and certify the records covering the lands transferred by this Act to said county," respectfully report that House Bill No. 442 do not pass.

SCHOENING, Chairman.

On report of Schoening, report adopted.

Mr. Speaker: We, your Committee on Livestock and Public Ranges, having had under consideration House Bill No. 396, introduced by Committee on Livestock and Public Ranges: A Bill for an Act entitled: "An Act to amend Section 3685 of the Revised Codes of Montana of 1921, as amended by Section 4, of Chapter 77 of the laws of the Eighteenth Legislative Assembly of Montana of 1923, relating to Fish and Game licenses," respectfully report as follows: That House Bill No. 396 do pass.

LEAVENS, Chairman.

On motion of Leavens, report adopted.

The Speaker at this point announced that the following members would act as a conference committee on House Bill No. 126.

SALES of Gallatin,  
CAMPBELL of Missoula.  
STODDARD of Deer Lodge.

### CONSIDERATION OF GENERAL ORDERS

Moved by Ruffcorn, duly seconded and carried, that House now resolve itself into Committee of the Whole for Consideration of General Orders and



that debate be limited to five minutes to proponents of bills and to three minutes to others.

Mr. Campbell in the chair.

The Committee arose.

Mr. Speaker in the chair.

The Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration House Memorial No. 4, House Bills Nos. 276, 277, 236, 225, 258, 267, 279, 287, 291, 294, 301, 322, 327, 328, 330, 331, 280, 282, 69, respectfully report as follows:

That House Memorial No. 4 do pass.

That House Bill Bo. 276 do pass.

That House Bill No. 277 be amended as follows:

Section 1. By inserting after the word "bonds" in line 18, the words "as hereinafter provided."

Section 2. By striking out the entire Section 2, and inserting in lieu thereof:

"Section 2. No personal bond shall be accepted except when such bond is for the purpose of renewing a personal bond now in effect, and from and after January 1, 1928, personal bonds shall not be considered as acceptable security; and provided further, that from and after the passage and approval of this Act, no new or additional deposit shall be made by any Treasurer under any personal bond."

And that, as amended, House Bill No. 277 do pass.

That House Bill No. 236 do pass as amended.

That House Bill No. 225 do pass.

That House Bill No. 258 do pass.

That House Bill No. 267 do pass.

That House Bill No. 279, the enacting clause be stricken out.

That House Bill No. 287 do pass.

That House Bill No. 291 do pass.

That House Bill No. 294 do pass.

That House Bill No. 301 do pass.

That House Bill No. 322 do pass.

That House Bill No. 327 be passed for the time being.

That House Bill No. 328 do pass.

That House Bill No. 330 be passed for the time being.

That House Bill No. 331 be passed for the time being.

That House Bill No. 280 be passed for the time being.

That House Bill No. 282 be passed for the time being.

That House Bill No. 69 do pass.

CAMPBELL, Chairman.

Moved by Campbell, duly seconded, that report be adopted.

Moved by McCarty, duly seconded and carried, that House Bill No. 236 be segregated from the report.

Moved by Shields, duly seconded, that House Bill No. 69 be segregated from the report.

Shields demanded a roll call.

Moss demanded a call of the House, seconded by fifteen members.

On roll call the following members were absent: Berryman, Brandt, Davis, Fitzgarrald of Ravalli, Hardcastle, Johnson of Valley, Kinville, Lemon, Loble, Moulton, Schoening, Troy.

Moved by A. T. Larsen, duly seconded and carried, that further action on call of the House be dispensed with.

Question arising on motion to segregate House Bill No. 69 from the report, same was lost by the following vote:

Ayes: Anderson, Beadle, Caplis, Dellwo, Doran, Fitzgerald (Silver Bow), Flachsenhar, Fletcher, Fox, Gordon, Hawley, Holton, Joffray, Keeley, Kelly, Meagher, Miller, Mulholland, Murphy, McAfee, McGrath, Nelson, Nelstead, Plumer, Shields, Stoddard, Waite, White. Total—28.

Noes: Ainsworth, Akofer, Andrus, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Castles, Clarke, Cusick, Donaldson, Duncan, Eaton, Fairgrieve, Flynn, Graybill, Green, Hanson, Harris, Hedrick, Higham, Hoffman, Holt, Johnson (Fergus), Kennedy, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Masters, Merritt, Moriarity, Morris, Moss, McCarty, Nagle, Parkin, Patterson, Peat, Peterson, Plank, Reed, Rice, Ruffcorn, Rupert, Ryder, Sales, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Strange, Throssel, Tinsley, Troy, Walker, Walton, Wold, Wuerthner, Zeh. Total—63.

Absent and not voting: Davis, Fitzgarrald (Ravalli), Hardcastle, Johnson (Valley), Kinville, Lemmon, Loble, Moulton, Schoening. Total—9.

Moved by Morris, duly seconded, that House Bill No. 279 be segregated from the report.

Moved by Troy, as substitute motion, duly seconded, that motion to segregate House Bill No. 279 from the report be laid on the table.

Question arising on substitute motion, roll call having been demanded, same was carried by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Budas, Campbell, Caplis, Clarke, Cusick, Dellwo, Doran, Duncan, Fairgrieve, Fitzgerald, Fox, Gordon, Green, Hanson, Hawley, Higham, Hoffman, Holt, Holton, Joffray, Johnson (Fergus), Keeley, Kelly, Kennedy, Larson (Cascade), Larsen (Sheridan), Lincoln, Masters, Meagher, Merritt, Moriarity, Mulholland, Murphy, McAfee, McGrath, Nagle, Nelson, Patterson, Peat, Peterson, Plank, Plumer, Reed, Rupert, Ryder, Sales, Shields, Smith (Lewis and Clark), Steeves, Stoddard, Troy, Waite, Walker, Wuerthner, Zeh. Total—60.

Noes: Bergstrom, Berryman, Besancon, Burns, Castles, Donaldson, Eaton, Flachsenhar, Fletcher, Flynn, Graybill, Harris, Hedrick, Larson (Sheridan), Miller, Morris, Moss, McCarty, Nelstead, Parkin, Rice, Ruffcorn, Smith (Beaverhead), Strange, Throssel, Tinsley, Walton, White, Wold. Total—29.

Absent and not voting: Brandt, Davis, Fitzgarrald, Hardcastle, Johnson (Valley), Kinville, Leavens, Lemmon, Loble, Moulton, Schoening. Total—11.

Question arising on motion to adopt report of the Committee of the Whole, with House Bills No. 236 and No. 279 excepted therefrom, same carried.

Moved by McCarty, duly seconded and carried, that House Bill No. 236 be re-referred to Committee on Ways and Means.

Mr. Speaker announced that he was about to sign House Bills No. 105, No. 108, No. 64, No. 49, No. 14, and No. 32, and thereupon signed same.

The Committee on Enrolling reported as follows:

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bills No. 105, No. 108.

McAFEE, Chairman.

Moved by Hawley, duly seconded and carried, that House adjourn until 9:30 A. M., February 17, 1925.

R. C. BRICKER, Speaker.

Attest: H. J. FAUST, Chief Clerk.

**FORTY-FOURTH DAY**

House of Representatives,  
Helena, Montana, February 17, 1925.

House met pursuant to adjournment at 9:30 A. M.

Mr. Speaker in the chair.

Prayer by the Chaplain.

On roll call all present except: Lemmon and Johnson of Valley, excused on account of sickness; Loble, and Tinsley, excused.

The Committee on Journal reported as follows:

Mr. Speaker: We, your Committee on Journal, have this day examined the Journal for the 43rd Legislative day and found the same correct.

PEARL I. SMITH, Chairman.

On motion of Smith of Beaverhead, report adopted.

**REPORTS OF STANDING COMMITTEES**

The following reports were received from Standing Committees:

Mr. Speaker: We, your Committee on Petroleum, Oil and Gas Affairs, having had under consideration Senate Bill No. 29, introduced by Leuthold, respectfully report as follows:

That said Senate Bill No. 29 be concurred in.

MOULTON, Chairman.

On motion of Moulton, report adopted.

Mr. Speaker: We, your Committee on Development and Publicity, having had under consideration House Bill No. 209, introduced by the Committee on Development and Publicity, respectfully report as follows:

That said House Bill No. 209 be amended to read as follows:

That Section 1 be amended by adding the following after the word "Act" in line 24 of the printed bill:

"Provided, however, that the payment of such higher rate or price in one section, city or community, or any portion thereof, than each person, firm, company, association or corporation pays for such commodity or product in another section, city or community, after making such allowance as above provided, shall not be deemed to be unfair discrimination provided such higher rate or price is paid for the purpose of meeting the rate or price set by a competitor in such section, city or community, but the burden of proof of such fact shall be upon the person, firm, company, association or corporation charged with unfair discrimination."

And, as amended, House Bill No. 209 do pass.

GORDON, Chairman.

On motion of Gordon, report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 360, introduced by Wuerthner, respectfully report as follows:

That said House Bill No. 360 do not pass.

CLARKE, Chairman.

On motion of Clarke, report adopted.

**MOTIONS AND RESOLUTIONS**

Moved by Ruffcorn, duly seconded and carried, that Senate Bill No. 77 be placed at the head of the list of General Orders.

Moved by Moulton, duly seconded, that House Bill No. 254 be taken from General Orders and re-referred to Committee on Petroleum, Oil and Gas Affairs.

Question arising on motion by Moulton, same failed.



Moved by Flachsenhar, duly seconded, and carried, that House Bill No. 430 be recalled from Committee on Ways and Means and referred to Committee on Townships and Counties.

Moved by Graybill, duly seconded and carried, that House Bill No. 438 be taken from Printing Committee and referred to the Committee on Ways and Means.

#### CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

The following message was received from the Governor.

Helena, Montana, February 16, 1925.

The Speaker, House of Representatives,  
Helena, Montana.

I have the honor to advise you that I have this day approved House Memorial No. 3, memorializing Congress to amend the Interstate Commerce Act so as to protect shippers and livestock in their contracts with carriers.

J. E. ERICKSON, Governor.

Moved by Larsen of Sheridan, duly seconded and carried, that messages from the Senate be considered read at length and the Journal so show.

The following messages were received from the Senate:

Helena, Montana, February 16, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Fish and Game report that H. B. No. 85, by Miller, be not concurred in, and bill is herewith returned to the House.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 16, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read first and second time and referred to the Standing Committees:

H. B. No. 203—Counties and Towns.

H. B. No. 204—Taxation.

H. B. No. 205—Counties and Towns.

H. B. No. 218—Banks and Banking.

H. B. No. 239—Taxation.

H. B. No. 240—Taxation.

H. B. No. 241—Taxation.

H. B. No. 252—Judiciary.

H. B. No. 262—Judiciary.

H. B. No. 281—Horticulture.

H. B. No. 284—Stockgrowing and Grazing.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 16, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Irrigation report that H. B. No. 29 be amended as follows:

Amend by striking out in line 18, page 1, the words "three-fourths" and inserting the words "sixty per cent."

Also in line 22, page 1, strike out the words "three-fourths" and insert "sixty per cent."

Also after the word "Act" in line 25, page 1, add the following: "provided, however, that when any of such land sought to be included in such irrigation district is covered by mortgage or other lien then the owner or

owners of such land shall first procure the written consent of the holder of such mortgage or other lien before proposing the establishment and organization of such irrigation district."

Also in line 7, page 3, after the word "report" add the following words "and that said Engineer shall, within a period of one hundred twenty days from the filing of said petition with the State Engineer, render his report to the District Court, as herein provided."

And as so amended, recommend that said bill be concurred in.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 16, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Irrigation report that H. B. No. 220 be amended as follows:

Amend by striking out on page 1, line 22, the word "resident" and inserting the words "land owner and resident of the county or counties."

Also in line 5, page 3, amend by striking out the word "resident" and inserting the words "land owner and resident of the county or counties."

And so amended, recommend that said bill be concurred in.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 16, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following bills were this day introduced and referred to the Standing Committees:

Sub. S. B. No. 44, by Committee on Public Lands: "An Act to establish a State Board of Forestry, defining the powers and duties of such board and providing for the enforcement of the rules and regulations made by said board and of the laws relating to the protection of the forests and forest lands within the State of Montana, and to repeal Sections 1833, 1836, 1839, 1841, 1842, 2763, 2764, 2765, 2766, 2767, 2769, 2771, 2772, 2773, 2774, 2775, 2776, 2777 and 4470 of the Revised Codes of Montana and all other Acts and parts of Acts in conflict herewith." Public Lands.

S B. No. 159, by Watson: A Bill for an Act entitled: "An Act to amend Section 3384 of the Revised Codes of Montana, 1921, relating to the creation of herd districts." Referred to Committee on Agriculture.

S. B. No. 160, by Griffin, Pauline and Buttelman: A Bill for an Act entitled: "An Act to amend Sections 1040, 1041, 1042, 1043, 1044 and 1045, and to repeal Section 1048 of the Revised Codes of Montana, 1921, pertaining to the formation of rural school districts, the selection and qualification of trustees and their powers and duties." Referred to Committee on Education.

S. B. No. 161, by Pauline, Buttelman and Smith: A Bill for an Act entitled: "An Act regulating public dances, dance halls, and other places of amusement; defining the powers of boards of County Commissioners, city and town councils and City Commissioners in relation thereto; governing the attendance of minors thereat; providing for the licensing and supervision thereof, and fixing penalties for the violation of this Act." Referred to Committee on Counties and Towns.

S. B. No. 162, by Oliver: A Bill for an Act entitled: "An Act to repeal Section 4758 of the Revised Codes of Montana, 1921, relating to the payment of warrants." Referred to Committee on Finance and Claims.

S. B. No. 163, by Oliver: A Bill for an Act entitled: "An Act acknowledging the State of Montana indebted to and bound to be paid to the Interest and Income fund of the General School fund of the State of Montana the sum of \$1,905,895.49, heretofore used from such Interest and Income fund of the General School fund of the State of Montana in paying salaries and expenses of the State Land Office during the period of years

extending from the year A. D. 1894 to the year A. D. 1920, both years inclusive, authorizing the State Board of Examiners to issue certificates of indebtedness to the Interest and Income fund of the General School fund in the amount of \$1,905,895.49; prescribing the form of such certificates; providing that such certificates shall be paid within a period of ten years from date of issue; providing for the levying of a tax to pay the principal of and interest accruing thereon; providing for the submission to the qualified electors at the next general election of the State of Montana the question of the acknowledgment of such indebtedness and of the issuance of such certificates; prescribing the form of ballot to be used, and prescribing the duties of the State Board of Examiners relative to the issuance of such certificates and the duties of the Secretary of State relative to the submission of such question to the qualified electors." Referred to Committee on Finance and Claims.

S. B. No. 164, by Stewart, by request: A Bill for an Act entitled: "An Act to amend Section 4053, Revised Codes of Montana, 1921, relating to the office of Investment Commissioner and authorizing necessary clerks, deputies and agents therefor." Referred to Committee on Finance and Claims.

S. B. No. 165, by Demel, by request: A Bill for an Act entitled: "An Act adding Section 4603A to the Revised Codes of Montana, 1921, providing a method for the inclusion of property in rural improvement districts after the creation of such districts when said property is not liable for assessment to pay cost of improvements therein because of failure to mail copy of notice of passage of resolution of intention to create such districts to the person, firm or corporation or to the agent of the person, firm or corporation owning such property or for any other reason and making the same retroactive." Referred to Committee on Counties and Towns.

S. B. No. 166, by Swift: A Bill for an Act entitled: "An Act to amend Section 1760 of the Revised Codes of Montana of 1921 as amended by Chapter 107 of the 1923 Session Laws of Montana, relating to the registration fees for motor vehicles and the disposition thereof, and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Roads and Highways.

S. B. No. 167, by McCormick and Green: A Bill for an Act entitled: "An Act requiring railroad station agents to report to the Secretary of State receipt of carload shipment of gasoline, distillate, or kerosene; requiring the consignee of carload lots of gasoline, distillate, or kerosene to take and send samples thereof to the State Chemist; fixing penalties for the violation of this Act, and repealing Section 4195 of the Revised Codes of Montana of 1921." Referred to Committee on Roads and Highways.

S. B. No. 168, by Dowlin: A Bill for an Act entitled: "An Act providing for the valuation and assessment of property for assessment and taxation in the year 1925, and every two years thereafter." Referred to Committee on Taxation.

S. B. No. 169, by Survant: A Bill for an Act entitled: "An Act to amend Section 933, Chapter 75, of the Revised Codes of Montana 1921, relating to the official staff of the superintendent of public instruction." Referred to Committee on Education.

S. B. No. 170, by Greenup: A Bill for an Act entitled: "An Act to amend Section 3384 of the Revised Codes of Montana of 1921 relating to the creation of herd districts." Referred to Committee on Agriculture.

S. B. No. 171, by Scofield: A Bill for an Act entitled: "An Act to amend Section 48, Revised Codes of Montana, 1921, relating to the division of the State into two Congressional districts and fixing the counties in each district." Referred to Committee on Federal Relations.

S. B. No. 172, by Walker: A Bill for an Act entitled: "An Act to amend Sections 9, 32, 34, 35, 37, 40, 41, 48, 82, 90, 96, 97, 98, 99, 103, 105, 106, 126, 127, 129 and 130 of Chapter 160 of the Laws of the Eighteenth Legislative Assembly of the State of Montana, Session Laws of 1923, relating to the consolidation and merging of the corporate existence and gov-



ernment of the County of Silver Bow and all cities and towns therein into one municipal corporaition and government, the said amendmments providing for the elections of the city and county attorney or director of law, the sheriff or head of the department of police, and the assessor, fixing the salaries of the commission and other elective officers, regulating elections to be held in such consolidated municipality and establishing an electoral board, changing the qualifications of the police judge, providing for the appraisement of the property of the cities and towns merged under this Act and fixing the status of their indebtedness at and after such merger." Referred to Committee on Counties and Towns.

S. B. No. 173, by Oliver: A Bill for an Act entitled: "An Act to amend Section 6355 of the Revised Codes of Montana 1921 relating to the organization of building and loan associations, and placing same under the control of the State Examiner and ex-officio superintendent of banks." Referred to Committee on Banks and Banking.

S. B. No. 174, by Griffin: A Bill for an Act entitled: "An Act imposing certain duties on County Superintendents of Schools in connection with the levying of taxes in joint school districts." Referred to Committee on Education.

S. B. No. 175, by Survant: A Bill for an Act entitled: "An Act providing the terms for which State Senators and County Commissioners shall hold office, where elected at a special election held for the purpose of voting upon the creation of a new county." Referred to Elections and Privileges Committee.

S. B. No. 176, by Survant: A Bill for an Act entitled: "An Act to amend Sections 3170 and 3181 of the Revised Codes of Montana of 1921, relating to the compounding and selling of drugs, medicines, poisons, chemicals and pharmaceutical preparations by registered pharmacists." Referred to Committee on Agriculture.

Senate Resolution No. 8, by Committee on Federal Relations: Relating to development of Columbia river for irrigation. Federal Relations.

Senate Memorial No. 1, by Garber, Pomeroy, Pauline and Tower: "Memorial to Congress of the United States asking for an appropriation to improve Camas Hot Springs, Montana." Federal Relations.

S. B. No. 177, by Duncan: A Bill for an Act entitled: "An Act to amend Section 4771 of the Revised Codes of Montana of 1921, relating to the examination of the books and accounts of the County Treasurer by the State Examiner or the County Clerk." Referred to Committee on Finance and Claims.

S. B. No. 178, by Buttelman and Watson: A Bill for an Act entitled: "And Act to amend Section 1276 of the Revised Codes of Montana of 1921, as amended by Chapter 69 of the Session Laws of 1923, relating to County High School tax and distribution thereof." Referred to Committee on Education.

S. B. No. 179, by Oliver: A Bill for an Act entitled: "An Act to amend Section 6059 of the Revised Codes of Montana of 1921 relating to the limitation on loans." Referred to Committee on Banks and Banking.

S. B. No. 180, by Pauline: A Bill for an Act entitled: "An Act to amend Sections 4394, 4395 and 4396 relating to the duties of County Commissioners when findings justify new counties; divisions in townships, road and school districts; change of boundaries of election precincts; election for the creation of the new county and selection of the county seat; canvass of the votes of such election; measures to be taken after election; appointment, qualification, duties, compensation and terms of the officers of the new county; attaching said new county to a judicial district; and the result of an adverse vote on the creation of such new county." Referred to Committee on Counties and Towns.

S. B. No. 181, by Pauline, by request: A Bill for an Act entitled: "An Act to provide insurance in the group form for all public school teachers now teaching in the State of Montana who may elect to come under the provisions of the Act, and all other teachers who may be employed to teach

in the State after September 1, 1925, such insurance to be provided by contract to be let upon competitive bids by the Teachers' Retirement Salary fund board through contract with life insurance companies authorized to do business in Montana upon the legal reserve plan, providing for the deduction of certain percentage of such teachers' salaries and the use of the funds so deducted for the procuring of such insurance and prescribing the terms of such insurance, and providing for endowment at age sixty (60) for all such teachers payable on an annuity plan, and providing for certain death benefits for such teachers, and providing for the transfer to teachers who shall withdraw from the public schools of their interests in such insurance, and providing for the enforcement and administration of this Act by the Teachers' Retirement Salary fund board and for a system of compulsory insurance for public school teachers in lieu of annuities now provided under the provisions of the Teachers' Retirement Salary Fund Law of this state." Referred to Committee on Insurance.

S. B. No. 182, by Green: A Bill for an Act entitled: "An Act to assist in the control of and eliminate duplication of service of persons engaged in duties of traveling under any state department and requiring said persons to make reports to the Board of Examiners and providing for the method of making a record of and filing said reports and requiring said Board of Examiners to examine said reports and take action thereon regarding consolidation of positions and duties of persons so employed and the dispensing with the service of persons unnecessarily employed." Referred to Committee on Finance and Claims.

. Respectfully,

J. F. CONE, Secretary of Senate.

At the request of Eaton, there being no objections, House reverted to Order of Business No. 4:

#### REPORTS OF STANDING COMMITTEES

The following reports were received from Standing Committees:

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 395, introduced by Committee on Education, by Hawley, vice chairman, respectfully report as follows:

That House Bill No. 395 be amended as follows:

By striking out the word "semi-annual" in Section 7, line 2, and inserting the word "quarterly."

By striking out the word "June" in Section 7, line 2, and inserting in lieu thereof the word "July" and by striking out the word "August" in Section 7, line 4, and inserting in lieu thereof the word "September."

And as so amended do pass.

EATON, Chairman.

On motion of Eaton, report adopted.

Mr. Speaker: We, your committee on Education, having had under consideration House Bill No. 356, introduced by Fairgrieve, et al., respectfully report as follows:

That House Bill No. 356 do pass.

EATON, Chairman.

On motion of Eaton, report adopted.

#### MOTIONS AND RESOLUTIONS

Moved by Graybill duly seconded and carried, that House Memorial No. 4 be considered properly engrossed and placed on Third Reading.

#### THIRD READING OF HOUSE BILLS

House Memorial No. 4, having been read three several times, was passed by the following vote:



Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Clarke, Cusick, Dellwo, Duncan, Fairgrieve, Fitzgarrald, Flachsenhar, Fletcher, Fox, Gordon, Graybill, Hanson, Hawley, Hedrick, Higham, Holt, Holton, Joffray, Kelly, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Masters, Merritt, Moriarty, Morris, Moss, Moulton, Mulholland, Murphy, McGrath, Nelson, Nelstead, Patterson, Peat, Plank, Ruffcorn, Rupert, Ryder, Sales, Schoening, Shields, Smith (Lewis and Clark), Smith, (Beaverhead), Steeves, Stoddard, Strange, Throssel, Troy, Waite, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—70.

Noes: Green, Keeley, Meagher, Miller, Plumer. Total—5.

Absent and not voting: Bergstrom, Caplis, Castles, Davis, Donaldson, Doran, Eaton, Fitzgerald, Flynn, Hardcastle, Harris, Hoffman, Johnson (Fergus), Johnson (Valley), Lemmon, Loble, McAfee, McCarty, Nagle, Parkin, Peterson, Reed, Rice, Tinsley, Walker, Wold. Total—26.

At the request of Ruffcorn, there being no objections, House reverted to Order of Business No. 6.

### MOTIONS AND RESOLUTIONS

Moved by Ruffcorn, duly seconded and carried, that House Bill No. 369 be placed in the first column of list on General Orders directly underneath House Bill No. 139.

### CONSIDERATION OF GENERAL ORDERS

Moved by Ruffcorn, duly seconded and carried, that House resolve itself into Committee of the Whole for Consideration of General Orders, and that debate be limited to five minutes for author of bill and to three minutes for all others.

Mr. Nelstead in the chair.

The Committee arose.

Mr. Speaker in the chair.

The Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration Senate Bill No. 77, House Bills No. 84, No. 198, No. 303, No. 297, respectfully report as follows:

That Senate Bill No. 77 be concurred in.

That House Bill No. 84 the enacting clause be stricken out.

That House Bill No. 198 be passed for the time being.

That House Bill No. 303 do pass.

That House Bill No. 297 be amended as follows:

Section 6. By striking out in lines 1 and 2, the words "filing of an action", and inserting in lieu thereof the words "granting of a decree."

And that, as amended, House Bill No. 297 do pass.

NELSTEAD, Chairman.

Moved by Nelstead, duly seconded, that report be adopted.

Moved by Ainsworth, duly seconded, that House Bill No. 84 be segregated from the report.

Question arising on motion to segregate House Bill No. 84, Roll Call having been demanded, same was lost by the following vote:

Ayes: Ainsworth, Anderson, Beadle, Berryman, Brandt, Cusick, Graybill, Hawley, Larsen (Sheridan), Leavens, Lincoln, Miller, McCarty, Nagle, Plumer, Schoening, Throssel, Troy. Total—18.

Noes: Akofer, Andrus, Bergstrom, Besancon, Budas, Burns, Campbell, Caplis, Castles, Clarke, Davis, Dellwo, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Flynn, Fox, Gordon, Green, Hanson, Hardcastle, Harris, Hedrick, Higham, Hoffman, Holt, Hol-



ton, Joffray, Johnson (Fergus), Keeley, Kelly, Kennedy, Kinville, Larson (Cascade), Larson (Sheridan), Masters, Merritt, Moriarty, Morris, Moss, Moulton, Mulholland, Murphy, McAfee, McGrath, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Reed, Rice, Rupert, Ryder, Sales, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Strange, Waite, Walker, Walton, White, Wuerthner, Zeh. Total—74.

Absent and not voting: Donaldson, Johnson (Valley), Lemmon, Loble, Ruffcorn, Tinsley, Wold. Total—7.

Present and not voting: Meagher. Total—1.

Moved by Beadle, duly seconded, that House Bill No. 303 be segregated from the report.

Roll Call is demanded.

Call of the House is demanded by Moss, seconded by fifteen members.

Moved by A. T. Larsen, duly seconded, that Call of the House be dispensed with.

Question arising on motion that Call of the House be dispensed with, same was lost.

On Roll Call the following members were found absent: Kelly, Kennedy, Ruffcorn, Smith of Lewis and Clark, Smith of Beaverhead.

Kelly, Kennedy, Ruffcorn, Smith of Beaverhead, voluntarily appeared and reported present.

The Sergeant-at-Arms arrested Smith of Lewis and Clark and brought him before the Bar of the House.

Moved by Johnson of Fergus, duly seconded and carried, that Smith of Lewis and Clark be released from custody.

Call of the House was dispensed with on all absent members being reported present.

Question arising motion that House Bill No. 303 be segregated from the report, same was lost by the following vote:

Ayes: Akofer, Anderson, Andrus, Beadle, Bergstrom, Besancon, Caplis, Cusick, Dellwo, Doran, Fitzgerald, Flynn, Fox, Hardcastle, Hoffman, Holt, Joffray, Keeley, Kelly, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Meagher, Moss, Moriarty, Mulholland, Murphy, McGrath, Nagle, Patterson, Peterson, Plank, Plumer, Shields, Smith, (Lewis and Calrk), Stoddard, Troy, Holton. Total—39.

Noes: Ainsworth, Brandt, Budas, Burns, Campbell, Castles, Clarke, Berryman, Davis, Donaldson, Duncan. Eaton, Fairgrieve, Fitzgarrauld, Flachsenhar, Fletcher Gordon, Graybill, Green, Hanson, Harris, Hawley, Hedrick, Higham, Johnson (Fergus). Kennedy, Leavens, Lincoln, Masters, Merritt, Miller, Morris, Moulton, McAfee, McCarty, Nelson, Nelstead, Parkin, Peat, Reed, Rice, Ruffcorn, Rupert, Ryder, Sales, Schoening, Smith (Beaverhead), Steeves, Strange, Throssel, Waite, Walker, Walton, White, Wold, Wuerthner, Zeh. Total—57.

Absent and not voting: Johnson (Valley), Lemmon, Loble, Tinsley. Total—4.

Question arising on original motion that Report of the Committee of the Whole be adopted, same carried.

The Speaker announced that he was about to sign S. B. No. 7, and thereupon signed the same.

The Printing Committee reported as follows:

Mr. Speaker: We, your Committee on Printing, beg leave to report the following bills correctly printed:

House Bills 376, 219.

FRED W. ZEH, Chairman.

Moved by Hanson, duly seconded and carried, that House recess until 3:00 P. M.

## AFTERNOON SESSION

House resumed at 3:00 P. M.

Mr. Speaker in the Chair.

## CONSIDERATION OF GENERAL ORDERS

Moved by Ruffcorn, duly seconded and carried, that House now resolve itself into Committee of the Whole for Consideration of General Orders and that debate be limited to 5 minutes to proponents or authors of bills and to 3 minutes to others, and that no one be permitted to turn over to another the time allowed to him.

Mr. Davis in the Chair.

The Committee arose.

Mr. Speaker in the Chair.

Mr. Speaker gave notice that he was about to sign House Memorial No. 4 and thereupon signed the same.

The Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole having had under consideration, House Bills Nos. 28, 58, 144, 190, 163, 15, 52, 97, 86; Substitute House Bills Nos. 59, 139; House Bills Nos. 369, 147, 222, 254, 305, 308, 313, 315, 317, respectfully report as follows: That

House Bill No. 288 do pass.

House Bill No. 58 the enacting clause be stricken.

House Bill No. 144 do pass.

House Bill No. 190 be amended as follows:

Section 1. By striking out in line 9 the words, "he shall make" and in line 10 the words "his headquarters at the city of Helena". By striking out in line 12 the words "away from Helena." By striking out in line 22 the words, "twenty-five" and inserting the word "ten". By striking out in line 23 the word "ten" and inserting the word "five." and that as amended, same do pass.

House Bill No. 163 do pass.

House Bill No. 15 do pass.

House Bill No. 52 do pass.

House Bill No. 97 be passed for time being.

House Bill No. 86 do pass.

Sub. House Bill No. 59 do pass.

Sub. House Bill No. 139 do pass.

House Bill No. 369 be re-referred to Committee on Railroads and Transportation.

House Bill No. 147 that the enacting clause be stricken out.

House Bill No. 222 that the enacting clause be stricken out.

House Bill No. 254 be passed for time being.

House Bill No. 305 do pass.

House Bill No. 308 be passed for time being.

House Bill No. 313 be passed for time being.

House Bill No. 315 do pass.

House Bill No. 317 do pass.

DAVIS, Chairman.

Moved by Davis, duly seconded, that report be adopted.

Moved by Graybill, duly seconded, that House Bill No. 58 be segregated from the report.

Call of the House is demanded by Fairgrieve, seconded by fifteen members.

Moved by Ruffcorn, duly seconded and carried, that further action on Call of the House be dispensed with.

Question arising on motion that House Bill No. 58 be segregated from the report, roll call having been demanded, same carried by the following vote:

Ayes: Akofer, Anderson, Berryman, Besancon, Brandt, Budas, Caplis, Cusick, Dellwo, Doran, Fitzgerald, Flynn, Fox, Graybill, Hardcastle, Hedrick, Holton, Joffray, Kelly, Larsen (Sheridan), Larson (Sheridan), Lincoln, Masters, Meagher, Merritt, Miller, Moriarity, Morris, Moulton, Mulholland, Murphy, McCarty, McGrath, Nagle, Nelson, Peterson, Plank, Plumer, Rice, Sales, Shields, Steeves, Stoddard, Strange, Throssel, Wuerthner. Total—46.

Noes: Ainsworth, Andrus, Burns, Campbell, Clarke, Davis, Donaldson, Duncan, Eaton, Fairgrieve, Fitzgarrald, Flachsenhar, Gordon, Green, Hanson, Harris, Hawley, Higham, Hoffman, Holt, Johnson (Fergus), Keeley, Kennedy, Larson (Cascade), Leavens, Moss, McAfee, Nelstead, Parkin, Patterson, Peat, Reed, Ruffcorn, Rupert, Ryder, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Waite, Walker, Walton, White, Wold, Zeh. Total—44.

Absent and not voting: Beadle, Bergstrom, Castles, Fletcher, Johnson (Valley), Kinville, Lemmon, Loble, Tinsley, Troy. Total—10.

Moved by Anderson, duly seconded, that House Bill No. 58 be placed at the head of the list of General Orders.

Question arising on motion that House Bill No. 58 be placed at the head of the list of General Orders, same failed.

Moved by Smith of Beaverhead, duly seconded, that House Bill No. 288 be segregated from the report.

Question arising on motion that House Bill No. 288 be segregated from the report, same failed.

Moved by Holton that Substitute House Bill No. 139 be segregated from the report, same failed.

Question now arising on original motion by Davis, that report of the Committee of the Whole be adopted, with House Bill No. 58 segregated therefrom, same carried.

There being no objections, House reverted to Order of Business No. 4:

## REPORTS OF STANDING COMMITTEES

The following reports from Standing Committees were received:

Mr. Speaker: We, your Committee on Agriculture, having had under consideration House Bill No. 443 by McAfee, Moss, Strange, Cusick, Lincoln, and Walton, respectfully report as follows: That House Bill No. 443 be amended as follows:

By striking out in Section 1, the word "quack grass" and inserting in lieu thereof, the word "fan weed" and as amended, that House Bill No. 443 do pass.

HANSON, Chairman.

On motion of Larsen, report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration, House Bill No. 408, introduced by Eaton by request, respectfully report as follows: That House Bill No. 408 do not pass.

EATON, Chairman.

On motion of Eaton, report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration, House Bill No. 444 by Davis and Hanson, respectfully report as follows: That House Bill No. 444 do pass.

EATON, Chairman.

On motion of Eaton, report adopted.



Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 439 by Davis, Hanson and Besancon, respectfully report as follows: That House Bill No. 439 do pass.

EATON, Chairman.

On motion of Eaton, report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 441 introduced by Davis, Hanson and Besancon, respectfully report as follows: That House Bill No. 441 do pass.

EATON, Chairman.

On motion of Eaton, report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration, House Bill No. 99, introduced by Fairgrieve and Hanson, respectfully report as follows: That House Bill No. 99 be amended as follows:

By adding in line 1 of the title, an "s" after the word "section", making the word plural and by adding, after the figures "1219", "and 1223" and by adding in line 2 after the word "qualifications" the words "and oath."

By adding Section 2. which will read "That Section 1223 of the Revised Codes of Montana 1921, be, and the same is hereby amended to read as follows."

"1223" "Challenging voters—Oath of elector—False swearing. Any person offering to vote may be challenged by any elector of the district, and the judges must thereupon administer to the person challenged an oath or affirmation, in substance as follows:

"You do solemnly swear (or affirm) that you are a citizen of the United States; that you are twenty-one years of age; that you have resided in this state one year and in this school district thirty days next preceding this election; that you are a taxpayer on the last assessment roll for this school district; and that you have not voted this day. So help you God." Said oath shall be reduced to writing and signed by the person challenged and sworn to before one of the judges of election. Said oath or affirmation shall be returned with the ballots cast at such election. If the voter takes oath or affirmation, his vote must be received; otherwise, it will be rejected. Any person who shall swear falsely before any such judge of election shall be guilty of perjury, and shall be punished accordingly."

By making "Section 2" read "Section 3" and by making "Section 3" read "Section 4."

And as amended, be printed and placed on General Orders.

EATON, Chairman.

On motion of Eaton, report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 311 introduced by Fitzgarrauld (Ravalli), by request, respectfully report that: House Bill No. 311 do not pass.

DONALDSON, Chairman.

On motion of Donaldson, report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 363 introduced by Fletcher, respectfully report that: House Bill No. 363 do not pass.

DONALDSON, Chairman.

On motion of Donaldson, report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 381 introduced by McCarty, respectfully report that: House Bill No. 381 do pass.

DONALDSON, Chairman.

On motion of Donaldson, report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 415 introduced by James T. Fitzgerald, Kerr Beadle, Michael Mulholland, respectfully report that: House Bill No. 415 do not pass.

DONALDSON, Chairman.

On motion of Donaldson, report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 266 introduced by Donaldson, respectfully report as follows: That House Bill No. 266 do not pass for the reason that the subject matter contained in said Bill is covered in Senate Bill No. 45.

DONALDSON, Chairman.

On motion of Donaldson, report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration Senate Bill No. 45 introduced by McQuitty, respectfully report that: Senate Bill No. 45 be concurred in.

DONALDSON, Chairman.

On motion of Donaldson, report adopted.

Mr. Speaker: We, your Committee on Banks and Banking, having had under consideration House Bill No. 400, introduced by Hoffman, respectfully report as follows: That House Bill No. 400 do not pass.

JOHNSON, Chairman.

On motion of Johnson of Fergus, report adopted.

Mr. Speaker: We, your Committee on Banks and Banking, having had under consideration House Bill No. 399, introduced by Hoffman, respectfully report as follows: That House Bill No. 399 do not pass.

JOHNSON, Chairman.

On motion of Johnson of Fergus, report adopted.

Mr. Speaker: We, your Committee on Banks and Banking, having had under consideration Senate Bill No. 101, introduced by Griffin, respectfully report as follows: That Senate Bill No. 101 be concurred in.

JOHNSON, Chairman.

On motion of Johnson of Fergus, report adopted.

Mr. Speaker: We, your Committee on Conservation of Resources, having had under consideration House Joint Resolution No. 10 by Fitzgarrald, McAfee and Strange, respectfully report as follows: That House Joint Resolution No. 10 do pass.

HOFFMAN, Chairman.

On motion of Hoffman, report adopted:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 40, introduced by Berryman and Nelson, respectfully report as follows: That House Bill No. 40 be amended as follows:

Title: By striking out in line 2 of the printed bill the figures 2188, and inserting in line 4 thereof between the numbers 2187 and 2189 the figures 2188.

Section 1. By striking out the words "the last Monday of December and" in line 1 thereof. In line 6, by striking out the words "January and" and the word "respectively."

Section 15. By striking out the word "seven" in line 3, and inserting in lieu thereof the word "six", and also changing the numeral in the parenthesis to read "6%" instead of "7%."

Section 16. By striking from lines 6, 7, and 8 thereof the following words, to-wit: "Upon all sales to the County the penalty for purposes of redemption shall be six (6%) per cent of the amount of such tax or special assessment."

Section 18. By inserting after the word "pay" in line 9 of the printed bill, the following words: "or may be redeemed upon payment of," and by striking out in line 12 the words "struck off to", and inserting in lieu thereof the words "assigned to him by," inserting after the word "penalty" in line 13, the words, "of six (6%) per cent as provided in Section 19 of this act," and by striking out all of line 13 of the printed bill, after the word "penalty", and by striking out all of lines 14 and 15.

Section 19. By inserting at the beginning of the first sentence the following: "Except as otherwise provided in Section 18 of this act"; also by inserting after the word "redeemed" in line 1 of the printed bill the following: "by the owner or any party interested." Further amending said Section 19 by striking out all of line 15 after the word "sale", and all of lines 16 and 17 of the printed bill.

Section 21. First, by striking from line 1 the following words, viz: "other than the County;" and second by adding the following words after the word "assignee" in line 16, namely:—"shall give written notice by registered mail (which shall be deemed given when the notice is deposited in the United States Post Office, addressed, and with postage prepaid) to the owner, mortgagee or assignee, of record, at the address given in the recorded instrument of title, mortgage or assignment, and".

Section 22. By striking out all of said Section 22.

Section 29. By striking out all of said Section 29.

Section 30. By adding the following in line 1 after the word "Codes" namely: "of Montana, 1921."

Section 31. By adding the following in line 1 after the word "Codes" namely: "of Montana, 1921."

Section 32. By adding the following in line 1 after the word "Codes" namely: "of Montana, 1921."

Section 33. By adding the following in line 1 after the word "Codes" namely: "of Montana, 1921."

Section 34. By adding the following in line 1 after the word "Codes" namely: "of Montana, 1921."

Section 36. By striking out of line 1 the words "December, 1925" and inserting in lieu thereof the words "June, 1926."

Section 37. By adding to line one after the figures "2187," the figures "2188,"

By renumbering the Sub-sections of this Act beginning with Section 23 to read "22", and all sub-sections to be renumbered in consecutive order.

Amend said House Bill No. 40 by adding the following Sections to the same, namely:

"Section 34A. That Section 2231 of the Revised Codes of Montana, 1921, be amended to read as follows:

Section 2231. In case property assessed for taxes is purchased by the County, it must be assessed the next year for taxes in the same manner as if it had not been so purchased. But it must not be exposed for sale, and the sale thereof, under such assessment, must be adjourned until the time of redemption under the previous sale shall have expired."

Section 34B. That Section 2232 of the Revised Codes of Montana, 1921, be amended to read as follows:

Section 2232. In case an assessment is made under the provisions of Section 2231 and the lands are not redeemed from a previous sale, no sale must be had under the assessment authorized by Section 2231 unless directed by the board."



Section 34C. That Section 2233 of the Revised Codes of Montana, 1921, be amended to read as follows:

Section 2233. In case the property is sold to the County as purchaser, and is subsequently assessed, no person must be permitted to redeem from such sale or to purchase the certificate of sale from the County, except upon payment also of the amount of such subsequent assessment, costs, fees, and interest; and subsequent taxes so paid by any person taking an assignment of a tax certificate from the County shall be repaid by the redemptioner with interest thereon, from the date of payment at the rate of twelve (12%) per cent, per annum.  
and that as so amended House Bill No. 40 be re-printed and placed at the head of the list on General Orders.

BURNS, Chairman.

On motion of Burns, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration, House Bill No. 117, introduced by Duncan, respectfully report as follows: That House Bill No. 117 do not pass but that Substitute House Bill No. 117 do pass.

BURNS, Chairman.

On motion of Burns, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration, House Bill No. 346, introduced by Nagle and Burns, respectfully report as follows: That House Bill No. 346 do pass.

BURNS, Chairman.

On motion of Burns, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Joint Resolution No. 8, introduced by McAfee, respectfully report as follows: That House Joint Resolution No. 8 do pass.

BURNS, Chairman.

On motion of Burns, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 388, introduced by Fox, respectfully report as follows: That House Bill No. 388 do pass.

BURNS, Chairman.

On motion of Burns, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 323, introduced by Graybill, respectfully report as follows: That House Bill No. 323 do pass.

BURNS, Chairman.

On motion of Burns, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 350, introduced by Loble and Keeley, respectfully report as follows: That House Bill No. 350 do not pass.

BURNS, Chairman.

On motion of Burns, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 401, introduced by Peterson, respectfully report as follows: That House Bill No. 401 do not pass.

BURNS, Chairman.

On motion of Burns, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 429, introduced by White by request, respectfully report as follows: That House Bill No. 429 do not pass.

BURNS, Chairman.

On motion of Burns, report adopted.

Mr. Speaker: We, your Committee on Workmen's Compensation, having had under consideration House Bill No. 109, introduced by Ainsworth, respectfully report as follows: That House Bill No. 109 do not pass, but that Substitute House Bill No. 109 do pass.

KENNEDY, Chairman.

On motion of Kennedy, report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 404, introduced by Joffray, respectfully report as follows: That House Bill No. 404 do not pass.

EATON, Chairman.

On motion of Eaton, report adopted.

The Committee on Enrolling reported as follows:

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bill correctly enrolled: House Memorial No. 4.

McAFEE, Chairman.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed:

House Bills 300, 316, 237, 176, 286, 159, 272, 41, 47, 175, 253, 289.

House Joint Memorial No. 4.

House Joint Resolution No. 7.

House Bills 291, 322, 189, 328, 232, 231.

Substitute House Bill No. 90.

House Bill 275.

BESANCON, Chairman.

Moved by Ruffcorn, duly seconded and carried, that House adjourn until 9:00 A. M., Wednesday, February 18, 1925.

R. C. BRICKER, Speaker.

Attest: H. J. FAUST, Chief Clerk.

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## FORTY-FIFTH DAY

House of Representatives,

Helena, Montana, February 18, 1925.

House met pursuant to adjournment at 9:00 A. M.

Mr. Speaker in the chair.

Prayer by the Chaplain.

On roll call all present except: Lemmon, excused on account of sickness; Loble and McCarty, excused.

The Journal Committee reported as follows:

Mr. Speaker: We, your Committee on Journal, have this day examined the Journal for the Forty-fourth Legislative day and found the same correct.

PEARL I. SMITH, Chairman.

On motion of Smith of Beaverhead, report adopted.

## REPORTS OF STANDING COMMITTEES

The following reports were received from the Standing Committees:

Mr. Speaker: We, the majority of your Committee on Public Health

and Sanitary Affairs, having had under consideration House Bill No. 298, introduced by Beadle and A. T. Larsen, respectfully report as follows:

That House Bill No. 298 do not pass.

FAIRGRIEVE,  
THROSSEL,  
ANDRUS,  
CUSICK,  
GREEN,  
GRAYBILL,  
STODDARD,  
LARSON, Chairman.

Mr. Speaker: We, the minority of your Committee on Public Health and Sanitary Affairs, having had under consideration House Bill No. 298, introduced by Beadle and A. T. Larsen, respectfully report as follows: That House Bill No. 298 do pass.

KINVILLE,  
CASTLES.

Moved by Larson, duly seconded and carried, that report of majority be adopted.

Moved by Kinville, as substitute motion, duly seconded, that minority report be adopted.

Question arising on substitute motion, same failed.

Question now arising on original motion, same carried.

#### INTRODUCTION OF BILLS AND MEMORIALS

The following bills were read first and second times by title only and referred to committees as follows:

Substitute Senate Bill No. 34, introduced by Committee on Education: "An Act relating to free text books for school districts and county high schools; providing for the purchasing and furnishing of the same and for the levying of a special tax for such purposes; providing for the penalty for the violation of the provisions of this Act and repealing Sections 1198 and 1199 of the Revised Codes of Montana, 1921." Referred to Committee on Education.

Senate Bill No. 37, introduced by Watson: "An Act to amend Sections 715 and 716, Revised Codes 1921, Section 717, Revised Codes 1921, as amended by Chapter 151, Session Laws 1923, and Section 720, Revised Codes 1921, so as to extend the provisions thereof to persons incapacitated by sickness or injuries." Referred to Committee on Privileges and Elections.

Substitute Senate Bill No. 54, introduced by Committee on Stock Growing and Grazing: "An Act making it unlawful for any owner or person having the management or control of a stallion, ridgeling, unaltered male mule or jackass, over the age of one year; to permit or suffer it to run at large on the open range; defining such animal so running at large a public nuisance; prescribing penalties for violations of this Act; providing that such owner, or person having management or control shall be liable for all injuries caused by such running at large; providing for the proceedings and notices necessary to be taken and given for the castration and disposal of such animals; and repealing Sections 3396, 3397, 3398, 3399 and 3400 of the Revised Codes of Montana of 1921." Referred to Livestock and Public Ranges.

Senate Bill No. 60, introduced by Committee on Finance and Claims: "An Act authorizing the establishment of fiscal agencies for the payment of bonds and bond interest coupons which are issued by the State of Montana and all counties, cities, towns, school districts, irrigation districts or drainage districts of the State of Montana; prescribing the regulations to govern same and repealing all Acts and parts of Acts in conflict herewith. Referred to Committee on Appropriations.



Senate Bill No. 93, introduced by Garber: "An Act relating to the allowance of attorney's fees on foreclosure of liens, and to amend Section 9799 of the Revised Codes of Montana of 1921." Referred to Committee on Judiciary.

Senate Bill No. 94, introduced by Stewart: "An Act to amend Sections 537 and 105 of the Revised Codes of Montana of 1921, relating to the manner of publication of proposed constitution, constitutional amendments or other question to be submitted to the people of Montana for popular vote; and providing for the publication of arguments for and against such questions." Referred to Judiciary Committee.

Senate Bill No. 95, introduced by Committee on Education: "An Act to amend Section 1916 of the Revised Codes of Montana of 1921, relating to redemption of bonds before maturity where owned by the State." Referred to Appropriations Committee.

Senate Bill No. 99, introduced by Griffin: "An Act authorizing and empowering city and town councils in cities and towns owning and operating municipal water systems as public utilities, to furnish water to factories and other industries located within, or outside the corporate limits of such cities or towns, and providing what rates for service shall be charged therefor." Referred to Affairs of Cities.

Senate Bill No. 124, introduced by Adams, Oliver, Gilboe: "An Act consolidating the clerkship of the State Board of Examiners with the clerkship of the Consolidated Boards and requiring the clerk of the State Board of Examiners to perform all of the duties of the clerk of the Consolidated Boards pertaining to the Board of Pardons, Board of Commissioners for the insane, and the Board of State Prison Commissioners, and repealing Section 123 of the Revised Codes of Montana, 1921." Referred to Committee on State Boards and Officers.

Senate Bill No. 127, introduced by Committee on Education: "An Act to amend Section 974 of the Revised Codes of Montana, 1921, providing days when the office of County Superintendent of Schools shall be kept open." Referred to Committee on Townships and Counties.

### MOTIONS AND RESOLUTIONS

Moved by Fitzgarrald, duly seconded and carried, that House Bill No. 412 be taken from Committee on Ways and Means and referred to Committee on Highways.

Moved by Fitzgarrald, duly seconded and carried, that House Bills No. 340, No. 341, No. 342, No. 343 and No. 344 be placed on list of General Orders in the following order: No. 343, No. 342, No. 341, No. 340, No. 344.

Moved by Ruffcorn, duly seconded and carried, that action on House Bill No. 330 and No. 331 be deferred until Thursday, February 19, 1925.

### CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

The following message was received from the Governor:

Helena, Montana, February 17, 1925.

The Speaker, House of Representatives,  
Helena, Montana.

I have the honor to advise you that I have this day approved the following measures:

H. B. No. 14—Relating to time for commencement of actions on claims against an estate.

H. B. 32—Relating to arrangement and notice of nominations and ballots at primary elections.

H. B. 49—Relating to letting of contracts for improvement and construction of highways.

H. B. 64—Relating to assignment of mortgages.

H. B. 105—Relating to time in which a person nominated for public office may decline such nomination.

H. B. 108—Relating to number of ballots to be provided for each precinct in general election.

J. E. ERICKSON, Governor.

Moved by Larsen of Sheridan, duly seconded and carried, that messages from the Senate be considered read at length and the Journal so show.

The following messages were received from the Senate:

Helena, Montana, February 17, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that H. B. No. 112, introduced by Loble, was this day read three several times, title agreed to, and is herewith transmitted to the House for concurrence in Senate amendments.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 17, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that H. B. No. 172, introduced by Bergstrom and Flachsenhar, was this day read three several times, title agreed to, and is herewith transmitted to the House for concurrence in Senate amendments.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 17, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that H. B. No. 214, introduced by Eaton, was this day read three several times, title agreed to, and is herewith transmitted to the House for concurrence in Senate amendments.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 17, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following bills were this day read third time and concurred in, title agreed to, and are herewith returned to the House:

H. B. No. 34, by Ruffcorn, Holt, Johnson.

H. B. No. 107, by Fairgrieve.

H. B. No. 179, by Schoening.

H. B. No. 202, by Ruffcorn, Holt, Johnson and Loble.

H. B. No. 186, by Fairgrieve.

H. B. No. 83, by Loble.

H. J. R. No. 4, by Committee on Livestock and Public Ranges.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 17, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Mr. President this day appointed the following committee to act with a like committee of the House to consider Senate amendments to House Bill No. 126: Cooper, Pauline, McCormick.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 17, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate bills were this day read third time and passed, title agreed to, and same are herewith transmitted to the House for concurrence:

S. B. No. 95, by Committee on Education.  
S. B. No. 127, by committee on Education.  
Sub. for S. B. No. 34, by Committee on Education.  
S. B. No. 37, by Watson.  
S. B. No. 94, by Stewart.  
S. B. No. 124, by Adams, Oliver, Gilboe.  
S. B. No. 99, by Griffin.  
S. B. No. 93, by Garber.  
S. B. No. 60, by Finance and Claims Committee.  
Sub. for S. B. No. 54, by Committee on Stock Growing and Grazing.

Respectfully,  
J. F. CONE, Secretary of Senate.

Helena, Montana, February 17, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Irrigation report that House Bill No. 145 be amended as follows:

Amend by striking out in lines 21 and 22 on page 1 the words "the adult owners of more than one-half" and inserting the words "sixty per cent of the adult owners representing sixty per cent of the acreage."

Also strike out after the word "that" in line 8, page 2, the words "the adult owners of more than one-half" and inserting the words "sixty per cent of the adult owners representing sixty per cent of the acreage."

And, as so amended, it be concurred in.

Respectfully,  
J. F. CONE, Secretary of Senate.

Helena, Montana, February 17, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee of the Whole, having had under consideration Business on General File, report as follows:

That S. R. No. 5 do pass.

That consideration of S. B. No. 83 be passed for the day.

That consideration of S. B. No. 122 be passed for the day.

That S. B. No. 116 do pass.

That S. B. No. 134 do pass.

That consideration of S. B. No. 59 be passed for the day.

That S. B. No. 105 do pass.

That S. B. No. 129 do pass.

That H. B. No. 224 be concurred in.

That H. B. No. 228 be amended, and, as so amended, it be concurred in.

That H. B. No. 226 be amended, and, as so amended, it be concurred in

That H. B. No. 174 be concurred in.

That H. B. 191 be concurred in.

That H. B. No. 208 be concurred in.

That H. B. No. 6 be concurred in.

That consideration of H. B. No. 56 be passed for the day.

Report adopted.

Respectfully,  
J. F. CONE, Secretary of Senate.

### THIRD READING OF SENATE BILLS

Senate Bill No. 77, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Beadle, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Castles, Clarke, Cusick, Davis, Dellwo,



Donaldson, Doran, Duncan Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Flynn, Fox, Gordon, Graybill, Green, Hanson, Hardcastle, Harris, Higham, Hoffman, Holt, Holton, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Leavens, Lincoln, Masters, Meagher, Merritt, Miller, Moriarity, Moss, Moulton, Mulholland, Murphy, McAfee, McGrath, Nelson, Nelstead, Parkin, Peat, Peterson, Plank, Plumer, Reed, Rice, Ruffcorn, Rupert, Ryder, Sales, Shields, Steeves, Throssel, Tinsley, Troy, Waite, Walker, Walton, White, Wold, Wuerthner, Zeh, Larson (Sheridan), Mr. Speaker. Total—83.

Noes: None.

Absent and not voting: Andrus, Bergstrom, Caplis, Eaton, Hawley, Joffray, Lemmon, Loble, Morris, McCarty, Nagle, Patterson, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Stoddard, Strange. Total—17.

Present and not voting: Hedrick. Total—1.

There being no objections, House reverted to Order of Business No. 4:

### REPORTS OF STANDING COMMITTEES

The following reports were received from Standing Committees:

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 414, respectfully report as follows:

That House Bill No. 414 be re-referred to the Highway Committee.

RUFFCORN, Chairman.

On motion of Ruffcorn, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 416, respectfully report as follows:

That House Bill No. 416 be re-referred to the Highway Committee.

W. M. RUFFCORN, Chairman.

On motion of Ruffcorn, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 314, respectfully report as follows:

That House Bill No. 314 do pass.

RUFFCORN, Chairman.

On motion of Ruffcorn, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 406, respectfully report as follows:

That House Bill No. 406 do pass.

RUFFCORN, Chairman.

On motion of Ruffcorn, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 309, introduced by Smith of Lewis and Clark, respectfully report as follows:

That House Bill No. 309 do pass.

BURNS, Chairman.

On motion of Burns, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 321, by Beadle et al., respectfully report as follows:

That House Bill No. 321 be amended as follows:

By striking the word "twenty" from line 19 and inserting "fifteen" in lieu thereof; by striking the word "twelve" from line 23 and inserting in lieu thereof "ten," and that as amended the bill do pass.

BURNS, Chairman.

On motion of Burns, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 417, introduced by Nagle, respectfully report as follows:

That House Bill No. 417 do not pass.

BURNS, Chairman.

On motion of Burns, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 207, introduced by Robert Larson, James T. Fitzgerald, T. J. Troy and A. T. Larsen: A Bill for an Act entitled: "An Act to repeal Sections 10737, 10738 and 10739 of Chapter 4 of the Penal Codes, Revised Codes of Montana, 1921," respectfully report as follows: That House Bill No. 207 do not pass.

BURNS, Chairman.

Moved by Burns, duly seconded, that report be adopted.

Moved by Larson of Sheridan as substitute motion, duly seconded that H. B. No. 207 be printed and placed on General Orders.

Question arising on substitute motion, same failed.

Question now arising on original motion, same carried.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration H. B. No. 292, introduced by Patterson and Troy: A Bill for an Act entitled: "An Act to amend Section 9428 of the Code of Civil Procedure, Revised Codes of Montana, 1921, relating to specific exemption to all judgment debtors who are married, or who are heads of families," respectfully report as follows: That House Bill No. 292 do not pass.

BURNS, Chairman.

On motion of Burns, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 397 by Wold: A Bill for an Act entitled: "An Act to provide a method of trying the issues when a claim for exemption is made by the defendant after attachment," respectfully as follows. That House No. 397 do not pass.

BURNS, Chairman.

On motion of Burns, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 402 by Akofer: A Bill for an Act entitled: "An Act to provide a method for the determination of the ownership of property attached and claimed by a third party, and repealing Section 9273 of the Revised Codes of Montana of 1921," respectfully report as follows: That House Bill No. 402 do not pass.

BURNS, Chairman.

On motion of Burns, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 367, by Campbell: A Bill for an Act entitled: "An Act requiring the State Board of Equalization to make and keep a record of its decisions and actions, relating to assessments of property for taxation," respectfully report as follows: That House Bill No. 367 do not pass.

BURNS, Chairman.

On motion of Burns, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation having had under consideration House Bill No. 352, A Bill for an Act entitled: "An Act to amend Section 2317 of the Revised Codes of Montana of 1921, by providing for exemption from license tax of the first 10,000 tons of coal mined or produced from any mine in this state," respectfully report as follows: That House Bill No. 352 do not pass.

RUFFCORN, Chairman.

Moved by Ruffcorn, duly seconded that report be adopted.

Moved by Graybill, as substitute motion, duly seconded, that H. B. 352 be printed and placed on General Orders.

Question arising on substitute motion, same failed.

Question now arising on original motion that report be adopted, same carried.

Mr. Speaker: We, your Committee on Revenue and Taxation having had under consideration, House Bill No. 379, A Bill for an Act entitled: "An Act to amend Section 5251 of the Revised Codes of Montana of 1921, relative to certification of special assessments and the collection of special improvements within incorporated cities and towns," respectfully report as follows: That House Bill No. 379 do pass.

RUFFCORN, Chairman.

On motion of Ruffcorn, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation having had under consideration House Bill No. 234, A Bill for an Act entitled: "An Act to amend Sections 2269 and 2270 Revised Codes of Montana, 1921, relating to payment of taxes under payment," respectfully report as follows: That House Bill No. 234 be amended as follows:

Section 1. By inserting in line 7 after the word "may" the words "before such tax or license becomes delinquent" and by striking out the word "and" in line 18 on page two and inserting in lieu thereof the word "without" and by striking out at the end of Section 1 the words "with interest thereon from the date of payment" and inserting in lieu thereof the following "without interest." and as amended do pass.

RUFFCORN, Chairman.

On motion of Ruffcorn, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation having had under consideration, House Bill No. 299, A Bill for an Act entitled: "An Act to amend Section 2095 of the Revised Codes of Montana of 1921, relating to the collection and lien of taxes on the net proceeds of mines," respectfully report as follows: That House Bill No. 299 be amended as follows:

Section 1. By inserting in line 6 before the word "lien" the word "Prior"; and strike out the following words in Section 1, line 8 and 9, "which liens attach on the first Monday of March in each year" and insert after the word "deposits" a period in place of a comma. and as amended do pass.

RUFFCORN, Chairman.

On motion of Ruffcorn, report adopted.

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration Senate Bill No. 56, by Smith, respectfully report as follows:

That Senate Bill No. 56 be concurred in.

HARRIS, Chairman.

On motion of Harris, report adopted.

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration Senate Bill No. 84, by Watson, respectfully report as follows:

That Senate Bill No. 84 be concurred in.

HARRIS, Chairman.

On motion of Harris, report adopted.



Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration House Bill No. 362, by Graybill, respectfully report as follows:

That House Bill No. 362 do pass.

HARRIS, Chairman.

On motion of Harris, report adopted.

### THIRD READING OF HOUSE BILLS

Moved by Ruffcorn, duly seconded and carried, that Third Reading of House Bills be passed for the present and that House take up immediately Order of Business No. 10.

### CONSIDERATION OF GENERAL ORDERS

Moved by Ruffcorn, duly seconded and carried, that House now resolve itself into Committee of the Whole for Consideration of General Orders and that debate be limited to five minutes to authors or proponents of bills and to three minutes to others; also that there be no trading of time of debate.

Mr. Besancon in the chair.

The Committee arose.

Mr. Speaker in the chair.

The Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration Bills on General Orders, respectfully report as follows:

That House Bill No. 334 do pass.

That House Bill No. 343 do pass.

That House Bill No. 342 do pass.

That House Bill No. 341 do pass.

That House Bill No. 340 do pass.

That House Bill No. 344 do pass.

That House Bill No. 361 do pass.

That House Bill No. 368 do pass.

That House Bill No. 373 do pass.

That House Bill No. 280 be passed for time being.

That House Bill No. 282 be passed for time being.

That House Bill No. 327 do pass.

That House Bill No. 198 be amended as follows:

Section 1. By adding in line 9, after the first word "the" the following "per centum of the assessed."

And that, as amended, House Bill No. 198 do pass.

That House Bill No. 209 do pass.

That House Bill No. 219 be amended as follows:

Section 9. By adding in line 4, after the word "surgeons" the words "or osteopaths."

And that, as amended, House Bill No. 219 do pass.

That House Bill No. 97 be passed for time being.

That House Bill No. 254 be amended as follows:

Section 1. By striking out in line 2, after the word "lease" and insert the following; "except as hereinafter provided."

By inserting a new section to be known as Section 5, after Section 4, as follows:

Section 5. The word "lessee" as used herein shall be construed to mean the person, firm, or corporation, holding the lease by assignment at the time of the service of such notice of forfeiture, if such lease shall

have been theretofore assigned." And renumbering Section "5" in the bill as Section "7".

By inserting a new section to be known as Section 6, as follows:

Section 6. Nothing in this act contained shall be held or construed to apply to any lease except one upon which no operations for the drilling of a well for oil or gas have been commenced as provided by the terms of said lease or any subsequent agreement and thereafter carried on with reasonable diligence, or under which the rental provided by the terms thereof is in default." And by renumbering Section "6" in printed bill as Section "8".

And that, as amended, House Bill No. 254 do pass.

That House Bill No. 308 be passed for time being.

That House Bill No. 313 be passed for time being.

That House Bill No. 376 do pass.

That House Bill No. 112 Senate amendments be passed for time being.

That House Bill No. 172 Senate amendments be concurred in.

That House Bill No. 214 Senate amendments be concurred in.

That House Joint Resolution No. 2 do pass.

That House Bill No. 58 the enacting clause be stricken.

BESANCON, Chairman.

On motion of Besancon, report adopted.

The Committee on Printing reported as follows:

Mr. Speaker: We, your committee on Printing, beg leave to report the following bills correctly printed:

House Bills No. 206, No. 230, No. 242, No. 383, No. 312, No. 403, No. 435, Substitute House Bill No. 248, House Joint Resolution No. 9.

FRED W. ZEH, Chairman.

The Committee on Enrolling reported as follows:

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled:

House Bill No. 34, House Joint Resolution No. 4.

McAFEE, Chairman.

Moved by Ruffcorn, duly seconded and carried, that House recess until 2:30 P. M.

#### AFTERNOON SESSION

House resumed at 2:30 P. M.

Mr. Speaker in the chair.

There being no objections, House reverted to Order of Business No. 6.

#### MOTIONS AND RESOLUTIONS

Moved by Hedrick, duly seconded and carried, that Special Committee of Five members of the House be appointed to arrange a suitable program for Washington's birthday.

There being no objections, House reverted to Order of Business No. 4.

#### REPORTS OF STANDING COMMITTEES

The following reports were received from Standing Committees:

Mr. Speaker: We, your Committee on Livestock and Public Ranges, having had under consideration Senate Joint Resolution No. 5, by Livestock and Grazing Committee, respectfully report as follows:

That Senate Joint Resolution No. 5 be not concurred in.

LEAVENS, Chairman.

On motion of Nelson, report adopted.

Mr. Speaker: We, your Committee on Public Safety, having had under consideration House Bill No. 348, introduced by McAfee, respectfully report as follows:

That House Bill No. 348 be amended

By striking out in line 3 of Section 1 the word "sixteen" and inserting in lieu thereof the word "eighteen";

And as so amended that the Bill do pass.

HOLT, Chairman.

On motion of Holt, report adopted.

Mr. Speaker: We, your committee on Banks and Banking, having had under consideration House Bill No. 409, introduced by Committee on Banks and Banking, respectfully report as follows:

That House Bill No. 409 do not pass.

But that Substitute Bill for House Bill No. 409, A Bill for an Act entitled: "An Act relating to the limitation of loans by Banks and prohibiting loans to managing officers, and repealing Sections 6059 and 6060 of the Revised Codes of Montana of 1921," do pass.

JOHNSON of Fergus, Chairman.

On motion of Johnson of Fergus, report adopted.

Mr. Speaker: We, your Committee on Railroads and Transportation, having had under consideration House Bill No. 369, introduced by Committee on Railroads and Transportation, respectfully report as follows:

That House Bill No. 369 be amended as follows:

First amend Section 1, line 9, by striking out after the word "property" the word "or"; by striking out after the word "termini" in line 10, the words "or over regular or irregular routes."

Second by adding a new section after Section 3 to be known as Section 4 to read as follows: "The provisions of this Act shall not apply to the transportation of farm products from the farm to a primary market," and re-numbering Sections 4 and 5, as Sections 5 and 6. and when so amended that the bill do pass.

HAWLEY, Chairman.

On motion of Hawley, report adopted.

Mr. Speaker: We, your Committee on Railroads and Transportation, having had under consideration House Bill No. 433, introduced by Loble, respectfully report as follows:

That House Bill No. 433 do not pass.

HAWLEY, Chairman.

On motion of Hawley, report adopted.

Mr. Speaker: We, your Committee on Railroads and Transportation, having had under consideration House Bill No. 390, introduced by Nestead, respectfully report as follows:

That House Bill No. 390 do not pass.

HAWLEY, Chairman.

On motion of Hawley, report adopted.

Mr. Speaker: We, your Committee on Dairies and Dairying, having had under consideration House Bill No. 386, introduced by Committee on Dairies and Dairying, respectfully report as follows:

That House Bill No. 386 do pass.

FITZGARRALD of Ravalli, Chairman.

On motion of Fitzgarrauld of Ravalli, report adopted.



Mr. Speaker: We, your Committee on Dairies and Dairying, having had under consideration House Bill No. 431, introduced by Fitzgarrald of Ravalli, respectfully report as follows:

That House Bill No. 431 do pass.

FITZGARRALD of Ravalli, Chairman.

On motion of Fitzgarrald of Ravalli, report adopted.

Mr. Speaker: We, your Committee on Dairies and Dairying, having had under consideration House Bill No. 432, introduced by Fitzgarrald of Ravalli, by request, respectfully report as follows:

That House Bill No. 432 do pass.

FITZGARRALD of Ravalli, Chairman.

On motion of Fitzgarrald of Ravalli, report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 387, introduced by Fairgrieve, respectfully report as follows:

That House Bill No. 387 do not pass.

EATON, Chairman.

On motion of Eaton, report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 411, introduced by Gordon, by request, respectfully report as follows:

That House Bill No. 411 do not pass.

EATON, Chairman.

On motion of Eaton, report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 366, introduced by McAfee, respectfully report as follows:

That House Bill No. 366 do pass.

EATON, Chairman.

On motion of Eaton, report adopted.

Mr. Speaker: We, your Committee on Corporations other than Municipal, having had under consideration Senate Bill No. 96, introduced by Stewart, respectfully report as follows:

That Senate Bill No. 96 be concurred in.

NELSTEAD, Chairman.

On motion of Nelstead, report adopted.

Mr. Speaker: We, your Committee on Corporations other than Municipal, having had under consideration House Bill No. 372, introduced by Nelstead, by request, respectfully report as follows:

That House Bill No. 372 do pass.

NELSTEAD, Chairman.

On motion of Nelstead, report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 265, introduced by Donaldson and Morris, respectfully report as follows:

That House Bill No. 265 do pass.

O. M. WOLD, Chairman.

On motion of Wold, report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 364, introduced by Harris, respectfully report as follows:

That House Bill No. 364 be amended as follows:

That Section 1 in the first and second line of said Section 1 the words and figures "Six Hundred Six Dollars and Fifty Four Cents (\$606.54)"

be stricken out and that there be inserted in lieu thereof the words and figures "Two Hundred Fifty Dollars (\$250.00)".

And that as so amended the same do pass.

O. M. WOLD, Chairman.

On motion of Wold, report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 436, introduced by Wold, respectfully report as follows:

That House Bill No. 436 do pass.

O. M. WOLD, Chairman.

On motion of Wold, report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 285, introduced by Kennedy, respectfully report as follows:

That House Bill No. 285 be amended

By inserting in Section 1 in third line thereof after the words "County of Granite" the words "but not within the borders of a Forest Reserve" and,

In Section 2 the words and figures "Three Thousand (\$3,000.00) Dollars" be stricken out and that there be inserted in lieu thereof the words and figures "Two Thousand Dollars (\$2000.00)".

And that when so amended, same do pass.

O. M. WOLD, Chairman.

On motion of Wold, report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 380, introduced by Joffray, respectfully report as follows:

That House Bill No. 380 be printed and placed in General Orders.

O. M. WOLD, Chairman.

On motion of Wold, report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 307, introduced by Shields, respectfully report as follows:

That House Bill No. 307 do not pass.

O. M. WOLD, Chairman.

On motion of Wold, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 377, respectfully report as follows:

That House Bill No. 377 do not pass.

RUFFCORN, Chairman.

On motion of Ruffcorn, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 391, respectfully report as follows:

That House Bill No. 391 do not pass.

RUFFCORN, Chairman.

On motion of Ruffcorn, report adopted.

There being no objections, House reverted to Order of Business No. 6.

#### MOTIONS AND RESOLUTIONS

Moved by Hanson, duly seconded and carried, that House extend invitation to the Senate to meet in Joint Session between the hours of 12:00 Noon and 1:00 P. M., on Friday, February 20, 1925, for the purpose of hearing an address by F. Benz, Agricultural Agent of the Great Northern Railroad Company, regarding the development of the Northwest.

## THIRD READING OF HOUSE BILLS

Committee on Waterways and Navigation and Committee on Federal Relations were excused temporarily for the purpose of short committee meetings.

House Bill No. 41, introduced by Nagle, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Andrus, Beadle, Bergstrom, Besancon, Brandt, Budas, Burns, Campbell, Castles, Clarke, Cusick, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Flynn, Fox, Gordon, Graybill, Green, Hanson, Hardcastle, Harris, Hawley, Hedrick, Higham, Hoffman, Holton, Joffray, Johnson (Valley), Kelly, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Masters, Merritt, Morris, Murphy, McAfee, McGrath, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Rupert, Ryder, Sales, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Tinsley, Troy, Waite, Walton, White, Wuerthner, Mr. Speaker. Total—77.

Noes: None.

Absent and not voting: Anderson, Berryman, Caplis, Davis, Dellwo, Holt, Johnson (Fergus), Keeley, Lemon, Loble, Meagher, Miller, Moriarty, Moss, Moulton, Mulholland, McCarty, Nagle, Reed, Rice, Ruffcorn, Walker, Wold, Zeh. Total—24.

House Bill No. 47, introduced by Graybill, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Budas, Burns, Campbell, Caplis, Castles, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Fitzgarrald, Fitzgerald, Flachsenhar, Flynn, Fox, Gordon, Graybill, Green, Hanson, Hardcastle, Harris, Hawley, Hedrick, Higham, Hoffman, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Masters, Merritt, Miller, Morris, Murphy, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Reed, Rice, Rupert, Ryder, Sales, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Strange, Throssel, Tinsley, Waite, Walker, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—82.

Noes: None.

Absent and not voting: Brandt, Eaton, Fairgrieve, Fletcher, Holt, Lemmon, Loble, Meagher, Moriarty, Moss, Moulton, Mulholland, McAfee, McCarty, Plumer, Ruffcorn, Stoddard, Troy, Wold. Total—19.

The Enrolling Committee reported as follows:

Mr. Speaker: We, your committee on Enrolling beg leave to report the following bills correctly enrolled:

House Bills Nos. 107, 186, 83 and 202.

McAFEE, Chairman.

The Speaker gave notice that he was about to sign House Bill, No. 107, House Bill No. 186, House Bill No. 34, House Joint Resolution No. 4, House Bill No. 202, House Bill No. 83 and thereupon signed the same.

Substitute House Bill No. 90, by Committee on Public Safety, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Besancon, Budas, Burns, Campbell, Caplis, Castles, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Flynn, Fox, Gordon, Graybill, Green, Hanson, Hardcastle, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kennedy, Kinville, Larson



(Cascade), Larsen (Sheridan), Leavens, Lincoln, Masters, Merritt, Morris, McAfee, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Reed, Rice, Rupert, Ryder, Sales, Shields, Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Tinsley, Waite, Walker, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—81.

Noes: None.

Absent and not voting: Berryman, Brandt, Eaton, Holton, Lemmon, Loble, Meagher, Miller, Moriarty, Moss, Moulton, Mulholland, Murphy, McCarty, Plumer, Ruffcorn, Schoening, Smith (Lewis and Clark), Troy, Wold. Total—20.

House Bill No. 159, by Duncan, having been read three several times, title and history agreed to was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Budas, Burns, Campbell, Caplis, Castles, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Flynn, Fox, Gordon, Green, Hardcastle, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Masters, Merritt, Miller, Murphy, McAfee, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Reed, Rice, Rupert, Sales, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Throssel, Tinsley, Waite, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—79.

Noes: None.

Absent and not voting: Brandt, Eaton, Graybill, Hanson, Lemmon, Loble, Meagher, Moriarty, Morris, Moss, Moulton, Mulholland, McCarty, Plumer, Ruffcorn, Ryder, Shields, Stoddard, Strange, Troy, Walker, Wold, Total—22.

House Bill No. 175, by Flynn and Andrus, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Budas, Burns, Campbell, Caplis, Castles, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Flynn, Fox, Graybill, Green, Hardcastle, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Masters, Meagher, Merritt, Miller, Moriarty, Morris, Moss, Moulton, Murphy, McAfee, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Reed, Ruffcorn, Rupert, Ryder, Sales, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Tinsley, Waite, Walker, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total 88.

Noes: Fairgrieve, Rice. Total—2.

Absent and not voting: Brandt, Gordon, Hanson, Holton, Lemmon, Loble, Mulholland, McCarty, Plumer, Troy, Wold. Total—11.

House Bill No. 176 by Shields, having been read three several times, title and history agreed to, was killed by the following vote:

Ayes: Ainsworth, Anderson, Berryman, Burns, Castles, Cusick, Davis, Dellwo, Donaldson, Duncan, Flachsenhar, Flynn, Graybill, Hedrick, Holt, Holton, Larson (Cascade), Larsen (Sheridan), Lincoln, Merritt, Morris, Nelstead, Peterson, Plank, Plumer, Rice, Ruffcorn, Schoening, Shields, Smith (Beaverhead), Strange, Tinsley, Waite, White, Wuerthner. Total—35.

Noes: Akofer, Andrus, Beadle, Bergstrom, Besancon, Brandt, Budas, Campbell, Caplis, Clarke, Doran, Eaton, Fairgrieve, Fitzgerald, Fletcher, Fox, Gordon, Green, Harris, Hawley, Higham, Hoffman, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kennedy, Kinville, Larson (Sheridan), Leavens, Masters, Meagher, Miller, Moriarty, Moulton, Murphy,

McAfee, McGrath, Nagle, Nelson, Parkin, Patterson, Peat, Rupert, Ryder, Sales, Smith (Lewis and Clark), Steeves, Stoddard, Throssel, Walker, Walton, Zeh. Total—55.

Absent and not voting: Fitzgarrald, Hanson, Hardcastle, Lemmon, Loble, Moss, Mulholland, McCarty, Reed, Troy, Wold. Total—11.

House Bill No. 189 by Lincoln and Dellwo, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Castles, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fitzgerald, Flachsenhar, Fox, Gordon, Graybill, Green, Hardcastle, Harris, Hawley, Hedrick, Holt, Joffray, Johnson (Fergus), Kelly, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Lincoln, Masters, Meagher, Merritt, Miller, Moriarty, Morris, Moulton, Murphy, McGrath, Nagle, Nelstead, Parkin, Peterson, Plank, Plumer, Rice, Ruffcorn, Rupert, Sales, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Tinsley, Waite, Walker, Walton, White, Wuerthner, Mr. Speaker. Total—74.

Noes: Fairgrieve, Flynn, Higham, Hoffman, Holton, Johnson (Valley), Keeley, Larson (Sheridan), Leavens, McAfee, Nelson, Patterson, Peat, Reed, Ryder. Total—15.

Absent and not voting: Caplis, Fitzgarrald, Fletcher, Hanson, Lemmon, Loble, Moss, Mulholland, McCarty, Troy, Wold, Zeh. Total—15.

House Bill No. 231, by Lincoln, et al., having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Castles, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgerald, Flachsenhar, Fletcher, Flynn, Gordon, Graybill, Green, Hanson, Hardcastle, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Masters, Meagher, Merritt, Miller, Moriarty, Moulton, Mulholland, Murphy, McAfee, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Plank, Plumer, Rice, Ruffcorn, Ryder, Sales, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Tinsley, Waite, Walker, Walton, White, Wuerthner, Zeh, Peterson, Mr. Speaker. Total—88.

Noes: None.

Absent and not voting: Caplis, Fitzgarrald, Fox, Lemmon, Loble, Morris, Moss, McCarty, Peat, Reed, Rupert, Troy, Wold. Total—13.

House Bill No. 232 by Ruffcorn and Loble, having been read three several times, title and history agreed to, was killed by the following vote:

Ayes: Akofer, Andrus, Bergstrom, Brandt, Budas, Burns, Cusick, Davis, Dellwo, Donaldson, Eaton, Fairgrieve, Flachsenhar, Fletcher, Graybill, Green, Hanson, Harris, Hedrick, Higham, Hoffman, Holton, Johnson (Fergus), Keeley, Larson (Sheridan), Leavens, Morris, Moulton, Nagle, Nelson, Nelstead, Peterson, Plank, Plumer, Rice, Ruffcorn, Rupert, Ryder, Sales, Schoening, Smith (Lewis and Clark), Steeves, Strange, Throssel, Tinsley, Walker, Walton, White. Total—48.

Noes: Ainsworth, Anderson, Beadle, Berryman, Besancon, Campbell, Clarke, Doran, Duncan, Fitzgerald, Flynn, Fox, Gordon, Hawley, Holt, Joffray, Johnson (Valley), Kennedy, Kinville, Larson (Cascade), Lincoln, Masters, Merritt, Miller, Moss, Mulholland, Murphy, McAfee, McGrath, Parkin, Patterson, Peat, Reed, Shields, Smith (Beaverhead), Wuerthner, Zeh, Mr. Speaker. Total—38.

Absent and not voting: Caplis, Fitzgarrald, Hardcastle, Kelly, Lemmon, Loble, Meagher, Moriarity, McCarty, Stoddard, Troy, Waite, Wold. Total—13.



Present and not voting: Castles, Larsen (Sheridan). Total—2.

House Bill No. 237, by Fairgrieve et al., having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Castles, Clarke, Cusick, Davis, Dellwo, Donaldson, Duncan, Fairgrieve, Fitzgerald, Flachsenhar, Fletcher, Gordon, Graybill, Green, Hanson, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Masters, Merritt, Miller, Morris, Moss Moulton, Murphy, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Reed, Rice, Ruffcorn, Rupert, Ryder, Sales, Schoening, Shields, Smith, (Lewis and Clark), Smith (Beaverhead), Steeves, Throssel, Tinsley, Troy, Waite, Walker, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—82.

Noes: None.

Absent and not voting: Campbell, Caplis, Doran, Eaton, Fitzgarrald, Flynn, Fox, Hardcastle, Kelly, Lemmon, Loble, Meagher, Moriarity, Mulholland, McAfee, McCarty, Stoddard, Strange, Wold. Total—19.

House Bill No. 253, by Burns, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Campbell, Castles, Cusick, Davis, Dellwo, Donaldson, Duncan, Eaton, Fairgrieve, Fitzgerald, Flachsenhar, Fletcher, Flynn, Gordon, Graybill, Green, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Joffray, Johnson (Fergus), Keeley, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Masters, Miller, Morris, Moulton, Murphy, McAfee, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Peterson, Plank, Plumer, Reed, Ruffcorn, Rupert, Ryder, Sales, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Strange, Throssel, Tinsley, Troy, Waite, Walker, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—79.

Noes: None.

Absent and not voting: Burns, Caplis, Clarke, Doran, Fitzgarrald, Fox, Hanson, Hardcastle, Johnson (Valley), Kelly, Lemmon, Loble, Meagher, Merritt, Moriarity, Moss, Mulholland, McCarty, Peat, Rice, Stoddard, Wold. Total—22.

The Engrossing Committee reported as follows:

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed:

Substitute House Bill 184.

House Bills 303, 288, 297, 78, 287, 294, 276, 269, 225, 258, 267, 134, 301.

BERRYMAN, Chairman.

Committee on Ways and Means were at this point excused temporarily for the purpose of a short committee meeting.

House Bill No. 272 by Besancon, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Campbell, Castles, Cusick, Dellwo, Donaldson, Duncan, Fairgrieve, Fitzgerald, Flachsenhar, Fletcher, Flynn, Gordon, Green, Harris, Hedrick, Higham, Holt, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kennedy, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Masters, Merritt, Miller, Moulton, Murphy, Nelstead, Parkin, Patterson, Peterson, Plank, Reed, Rice, Ruffcorn, Sales, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Strange, Throssel, Tinsley, Waite, Walker, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—65.

Noes: None.



Absent and not voting: Andrus, Burns, Caplis, Clarke, Davis, Doran, Eaton, Fitzgarrald, Fox, Graybill, Hanson, Hardcastle, Hawley, Hoffman, Holton, Kelly, Kinville, Lemmon, Loble, Meagher, Moriarity, Morris, Moss, Mulholland, McAfee, McCarty, McGrath, Nagle, Nelson, Peat, Plumer, Rupert, Ryder, Stoddard, Troy, Wold. Total—36.

Mr. Keeley was at this point excused for the rest of the afternoon.

House Bill No. 275 by Parkin, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Cusick, Dellwo, Donaldson, Duncan, Eaton, Fairgrieve, Fitzgerald, Flachsenhar, Fletcher, Flynn, Gordon, Green, Harris, Hedrick, Higham, Holt, Joffray, Johnson (Fergus), Johnson (Valley), Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Masters, Merritt, Miller, Moulton, Murphy, Nelstead, Parkin, Patterson, Peterson, Plank, Reed, Rice, Ruffcorn, Rupert, Sales, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Strange, Throssel, Tinsley, Waite, Walker, Walton, White, Zeh, Mr. Speaker. Total—64.

Noes: None.

Absent and not voting: Caplis, Castles, Clarke, Davis, Doran, Fitzgarrald, Fox, Graybill, Hanson, Hardcastle, Hawley, Hoffman, Holton, Keeley, Kelly, Kennedy, Lemmon, Loble, Meagher, Moriarity, Morris, Moss, Mulholland, McAfee, McCarty, McGrath, Nagle, Nelson, Peat, Plumer, Ryder, Shields, Steeves, Stoddard, Troy, Wold, Wuerthner. Total—37.

House Bill No. 15, by Ainsworth, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Cusick, Dellwo, Donaldson, Duncan, Fairgrieve, Fitzgerald, Flachsenhar, Fletcher, Flynn, Gordon, Green, Harris, Hedrick, Higham, Joffray, Johnson (Fergus), Johnson (Valley), Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Masters, Merritt, Miller, Moulton, Murphy, Nelstead, Parkin, Patterson, Peterson, Plank, Reed, Rice, Ruffcorn, Rupert, Ryder, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Strange, Throssel, Tinsley, Waite, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—64.

Noes: None.

Absent and not voting: Caplis, Castles, Clarke, Davis, Doran, Eaton, Fitzgarrald, Fox, Graybill, Hanson, Hardcastle, Hawley, Hoffman, Holt, Holton, Keeley, Kelly, Kennedy, Lemmon, Loble, Meagher, Moriarity, Morris, Moss, Mulholland, McAfee, McCarty, McGrath, Nagle, Nelson, Peat, Plumer, Sales, Stoddard, Troy, Walker, Wold. Total—37.

House Bill No. 52, by Duncan, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Cusick, Dellwo, Donaldson, Doran, Duncan, Fairgrieve, Fitzgerald, Flachsenhar, Fletcher, Flynn, Gordon, Green, Harris, Hedrick, Higham, Holt, Johnson (Fergus), Johnson (Valley), Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Masters, Merritt, Miller, Morris, Moulton, Murphy, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Reed, Rice, Ruffcorn, Rupert, Ryder, Sales, Schoening, Shields, Smith (Beaverhead), Steeves, Throssel, Tinsley, Waite, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—71.

Noes: None.

Absent and not voting: Caplis, Castles, Clarke, Davis, Eaton, Fitzgarrald, Fox, Graybill, Hanson, Hardcastle, Hawley, Hoffman, Holton, Joffray, Keeley, Kelly, Lemmon, Loble, Meagher, Moriarity, Moss, Mulholland, McAfee, McCarty, Smith (Lewis and Clark), Stoddard, Strange, Troy, Walker, Wold. Total—30.

House Bill No. 286, by Fairgrieve et al., having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Campbell, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgerald, Flachsenhar, Fletcher, Fox, Gordon, Graybill, Green, Hawley, Hedrick, Higham, Holt, Holton, Joffray, Johnson (Fergus), Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Masters, Merritt, Miller, Morris, Moulton, Murphy, McGrath, Nelstead, Patterson, Peterson, Plank, Plumer, Reed, Rice, Ruffcorn, Rupert, Ryder, Sales, Schoening, Shields, Smith (Beaverhead), Steeves, Throssel, Tinsley, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—68.

Noes: Clarke, McAfee. Total—2.

Absent and not voting: Andrus, Burns, Caplis, Castles, Fitzgarrald, Flynn, Hanson, Hardcastle, Harris, Hoffman, Johnson (Valley), Keeley, Kelly, Lemmon, Loble, Meagher, Moriarity, Moss, Mulholland, McCarty, Nagle, Nelson, Parkin, Peat, Smith (Lewis and Clark), Stoddard, Strange, Troy, Waite, Walker, Wold. Total—33.

House Bill No. 289, by Committee on Livestock and Public Ranges, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Campbell, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Eaton, Fitzgarrald, Flachsenhar, Fletcher, Fox, Graybill, Green, Hanson, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Joffray, Johnson (Fergus), Johnson (Valley), Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Merritt, Miller, Morris, Moulton, Mulholland, Murphy, McAfee, McGrath, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Rice, Ruffcorn, Rupert, Sales, Schoening, Shields, Smith (Beaverhead), Steeves, Strange, Throssel, Tinsley, Waite, Walton, White, Wuerthner, Zeh, Fitzgerald, Mr. Speaker. Total—73.

Noes: Plumer. Total—1.

Absent and not voting: Andrus, Burns, Caplis, Castles, Duncan, Fairgrieve, Flynn, Gordon, Hardcastle, Holton, Keeley, Kelly, Lemmon, Loble, Masters, Meagher, Moriarity, Moss, McCarty, Nagle, Reed, Ryder, Smith (Lewis and Clark), Stoddard, Troy, Walker, Wold. Total—27.

House Bill No. 291, by Donaldson, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Cusick, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Flynn, Gordon, Graybill, Green, Hanson, Harris, Higham, Hoffman, Holt, Joffray, Johnson (Fergus), Kelly, Kennedy, Kinville, Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Masters, Merritt, Miller, Morris, Moulton, Murphy, McAfee, McGrath, Nelson, Nelstead, Parkin, Patterson, Peat, Plank, Reed, Rice, Ruffcorn, Rupert, Ryder, Schoening, Smith (Beaverhead), Steeves, Strange, Throssel, Tinsley, Walton, White, Zeh, Mr. Speaker. Total—69.

Noes: None.

Absent and not voting: Akofer, Caplis, Castles, Clarke, Davis, Fox, Hardcastle, Hawley, Hedrick, Holton, Johnson (Valley), Keeley, Larson (Cascade), Lemmon, Loble, Meagher, Moriarity, Moss, Mulholland, McCarty, Nagle, Peterson, Plumer, Sales, Shields, Smith (Lewis and Clarke), Stoddard, Troy, Waite, Walker, Wold, Wuerthner. Total—32.

House Bill No. 300, by Committee on Horticulture, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Besancon, Brandt, Budas, Cusick, Dellwo, Donaldson, Doran, Duncan, Fair-



grieve, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Flynn, Fox, Gordon, Graybill, Green, Hanson, Harris, Hawley, Higham, Hoffman, Holt, Joffray, Johnson (Fergus), Johnson (Valley), Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Lincoln, Masters, Merritt, Miller, Morris, Moss, Moulton, Murphy, McAfee, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Rice, Ruffcorn, Rupert, Ryder, Sales, Schoening, Shields, Smith (Beaverhead), Steeves, Strange, Throssel, Tinsley, Walker, Walton, White, Zeh, Berryman, Mr. Speaker. Total—74.

Noes: Plumer. Total—1.

Absent and not voting: Burns, Campbell, Caplis, Castles, Clarke, Davis, Eaton, Hardcastle, Hedrick, Holton, Keeley, Kelly, Leavens, Lemmon, Loble, Meagher, Moriarity, Mulholland, McCarty, Reed, Smith (Lewis and Clark), Stoddard, Troy, Waite, Wold, Wuerthner. Total—26.

House Bill No. 316, by Besancon, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Cusick, Dellwo, Donaldson, Doran, Duncan, Fairgrieve, Fitzgarrald, Flachsenhar, Fletcher, Fox, Gordon, Graybill, Green, Harris, Hawley, Higham, Hoffman, Holt, Flynn, Joffray, Johnson (Fergus), Johnson (Valley), Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Lincoln, Masters, Merritt, Miller, Morris, Moss, Moulton, McAfee, Nagle, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Reed, Rice, Ruffcorn, Rupert, Ryder, Sales, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Throssel, Tinsley, Waite, Walker, Walton, White, Zeh, Mr. Speaker. Total—73.

Noes: Fitzgerald, Mulholland. Total—2.

Absent and not voting: Beadle, Caplis, Castles, Clarke, Davis, Eaton, Hanson, Hardcastle, Hedrick, Holton, Keeley, Leavens, Lemmon, Loble, Meagher, Moriarity, Murphy, McCarty, McGrath, Plumer, Stoddard, Strange, Troy, Wold, Kelly, Wuerthner. Total—26.

House Bill No. 322, by Graybill, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Caplis, Clarke, Cusick, Dellwo, Donaldson, Doran, Duncan, Eaton, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Flynn, Fox, Gordon, Graybill, Green, Harris, Hawley, Higham, Hoffman, Holt, Joffray, Johnson (Fergus), Johnson (Valley), Kennedy, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Masters, Merritt, Miller, Morris, Moss, Moulton, Mulholland, McGrath, Nelson, Nelstead, Parkin, Patterson, Peat, Plank, Plumer, Reed, Rice, Ruffcorn, Rupert, Ryder, Sales, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Tinsley, Waite, Walker, Walton, White, Zeh, Mr. Speaker. Total—78.

Noes: Nagle. Total—1.

Absent and not voting: Bergstrom, Castles, Davis, Fairgrieve, Hanson, Hardcastle, Hedrick, Holton, Keeley, Kelly, Kinville, Lemmon, Loble, Meagher, Moriarity, Murphy, McAfee, McCarty, Peterson, Troy, Wold, Wuerthner. Total—22.

House Bill No. 328, by White, et al., having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Clarke, Cusick, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Flynn, Gordon, Graybill, Green, Harris, Hawley, Higham, Hoffman, Holt, Joffray, Johnson (Fergus), Johnson (Valley), Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Masters, Merritt, Miller, Morris, Moss, Moulton, Mulholland, McAfee, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson,



Plank, Plumer, Reed, Rice, Ruffcorn, Rupert, Ryder, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Strange, Throssel, Tinsley, Waite, White, Zeh, Mr. Speaker. Total—77.

Noes: None.

Absent and not voting: Bergstrom, Caplis, Castles, Davis, Fox, Hanson, Hardcastle, Hedrick, Holton, Keeley, Kelly, Lemmon, Loble, Meagher, Moriarity, Murphy, McCarty, Sales, Stoddard, Troy, Walker, Walton, Wuerthner, Wold. Total—24.

House Joint Resolution No. 7, by Ruffcorn, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Anderson, Andrus, Beadle, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Flynn, Fox, Gordon, Graybill, Green, Hanson, Hawley, Hedrick, Higham, Hoffman, Holt, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kennedy, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Masters, Merritt, Miller, Morris, Moss, Mulholland, McAfee, Nagle, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Reed, Ruffcorn, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Strange, Throssel, Tinsley, Waite, Walker, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—77.

Noes: None.

Absent and not voting: Akofer, Bergstrom, Caplis, Castles, Hardcastle, Harris, Holton, Kinville, Lemmon, Loble, Meagher, Moriarity, Moulton, Murphy, McCarty, McGrath, Nelson, Rice, Rupert, Ryder, Sales, Stoddard, Troy, Wold. Total—24.

Committee on Petroleum, Oil and Gas Affairs was at this point excused temporarily for the purpose of a short committee meeting.

House Joint Memorial No. 4, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Clarke, Cusick, Davis, Dellwo, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Flynn, Fox, Gordon, Graybill, Green, Hanson, Hardcastle, Hawley, Hedrick, Higham, Hoffman, Holt, Joffray, Johnson (Fergus), Leavens, Johnson (Valley), Keeley, Kennedy, Kinville, Larsen (Sheridan), Larson (Sheridan), Lincoln, Masters, Merritt, Miller, Moriarity, Morris, Moss, Moulton, Mulholland, Murphy, McAfee, McGrath, Nagle, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Reed, Rice, Ruffcorn, Rupert, Ryder, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Strange, Tinsley, Troy, Waite, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—82.

Noes: None.

Absent and not voting: Bergstrom, Caplis, Castles, Donaldson, Fletcher, Harris, Holton, Kelly, Larson (Cascade), Lemmon, Loble, Meagher, McCarty, Nelson, Sales, Shields, Throssel, Walker, Wold. Total—19.

House Bill No. 303, by Zeh, Duncan, et al., having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Berryman, Brandt, Budas, Burns, Campbell, Castles, Clarke, Cusick, Davis, Donaldson, Duncan, Eaton, Fairgrieve, Fitzgarrald, Flachsenhar, Fletcher, Gordon, Graybill, Green, Hanson, Harris, Hawley, Hedrick, Higham, Hoffman, Johnson (Fergus), Johnson (Valley), Larsen (Sheridan), Leavens, Lincoln, Masters, Merritt, Miller, Morris, Moss, Moulton, Murphy, McAfee, Nelson, Parkin, Patterson, Peat, Peterson, Reed, Rice, Ruffcorn, Rupert, Ryder, Sales, Schoening, Smith (Beaverhead), Steeves, Strange, Throssel, Waite, Walker, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—63.

Noes: Akofer, Anderson, Beadle, Besancon, Caplis, Dellwo, Doran, Fitzgerald, Flynn, Hardcastle, Holt, Holton, Joffray, Kelly, Kinville, Lar-

son (Sheridan), Moriarity, Mulholland, McGrath, Nagle, Plank, Plumer, Shields, Smith (Lewis and Clark), Tinsley, Troy. Total—26.

Absent and not voting: Andrus, Bergstrom, Fox, Kennedy, Larson (Cascade), Lemmon, Loble, Meagher, McCarty, Nelstead, Stoddard, Wold. Total—12.

At the request of Hanson, there being no objections, House reverted to Order of Business No. 4:

### REPORTS OF STANDING COMMITTEES

The following reports were received from Standing Committees:

Mr. Speaker: We, your Committee on Public Health and Sanitary Affairs, having had under consideration House Bill No. 419, by Robert Larson, respectfully report as follows:

That House Bill No. 419 do not pass.

LARSON of Cascade, Chairman.

On motion of Graybill, report adopted.

Mr. Speaker: We, your Committee on Waterways and Navigation, having had under consideration House Bill No. 389, respectfully report as follows:

That House Bill No. 389 do pass.

BRANDT, Chairman.

On motion of Brandt, report adopted.

Mr. Speaker: We, your Committee on Waterways and Navigation, having had under consideration House Bill No. 393, respectfully report as follows:

That House Bill No. 393 do not pass.

BRANDT, Chairman.

On motion of Brandt, report adopted.

Mr. Speaker: We, your Committee on New Counties and Divisions, having had under consideration House Bill No. 354, introduced by Peterson, respectfully report as follows:

House Bill No. 354 without recommendation.

SCHOENING, Chairman.

Moved by Schoening, duly seconded, that report be adopted.

Moved by Akofer, as substitute motion, duly seconded, that motion to adopt report be laid on the table.

Question arising on substitute motion, same carried.

Mr. Speaker: We, your Committee on New Counties and Divisions, having had under consideration House Bill No. 434, introduced by Moulton, respectfully report as follows:

That House Bill No. 434 be amended as follows:

By striking out on page 2, line 2, after figure 34 to and including the word "east" in line 5, page 3, and inserting in lieu thereof the following: "thence East along said township line to the Southeast corner Section 36, township 12 North, Range 24 East."

Also by striking out all of lines 30, 31, 32, 33, on page 3, and to and including the word "east" in line 10, page 4, and insert in lieu thereof "thence North to the Northeast corner of Section 19, Township 18 North, Range 27 East; thence East to the Northeast corner of Section 19, Township 18 North, 27 East; thence North to the Northeast corner of Section 6, Township 20 North, Range 27 East; then East to the Southeast corner of Section 36, Township 21 North, Range 26 East."

And as so amended bill is submitted without recommendation.

SCHOENING, Chairman.

Moved by Schoening, duly seconded, that report be adopted.

Moved by Hedrick, as substitute motion, duly seconded, that motion to adopt report be laid on the table.

Question arising on substitute motion, same carried.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 329, introduced by Akofer, respectfully report as follows:

That said House Bill No. 329 do not pass.

MOSS, Chairman.

On motion of Moss, report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 166, introduced by Wuerthner and Peterson, respectfully report as follows:

That said House Bill No. 166 do not pass.

MOSS, Chairman.

On motion of Moss, report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 416, introduced by Fitzgarrald and Strange, respectfully report as follows:

That said House Bill No. 416 do not pass.

MOSS, Chairman.

On motion of Moss, report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 302, introduced by Cusick, respectfully report as follows:

That said House Bill No. 302 do not pass.

MOSS, Chairman.

On motion of Moss, report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 412, introduced by Fitzgarrald and Strange, respectfully report as follows:

That said House Bill No. 412 do not pass.

MOSS, Chairman.

Moved by Moss, duly seconded, that report be adopted.

Moved by Fitzgarrald, as substitute motion, duly seconded, that House Bill No. 412 be printed and placed on General Orders.

Question arising on substitute motion, same carried.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 414, introduced by Fitzgarrald and Strange, respectfully report as follows:

That said House Bill No. 414 do not pass.

MOSS, Chairman.

Moved by Moss, duly seconded, that report be adopted.

Moved by Fitzgarrald, as substitute motion, duly seconded, that House Bill No. 414 be printed and placed on General Orders.

Question arising on substitute motion, same carried.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 426, introduced by Fitzgarrald and Strange, respectfully report as follows:

That said House Bill No. 426 do pass.

MOSS, Chairman.

On motion of Moss, report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 138, introduced by Kelly, respectfully report as follows:

That said House Bill No. 138 be printed and placed on General Orders.

MOSS, Chairman.

On motion of Moss, report adopted.



Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 430, introduced by McAfee et al., respectfully report as follows:

That House Bill No. 430 be printed and placed on General Orders.  
DONALDSON, Chairman.

Moved by Donaldson, duly seconded, that report be adopted.

Moved by Patterson, as substitute motion, duly seconded, that motion to adopt report be laid on the table.

Question arising on substitute motion, same carried.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 420, introduced by Campbell, respectfully report as follows:

That House Bill No. 420 do pass.

DONALDSON, Chairman.

On motion of Donaldson, report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 295, introduced by Plumer, respectfully report as follows:

That House Bill No. 295 do not pass.

But that Substitute House Bill No. 295, introduced by Committee on Townships and Counties: A Bill for an Act entitled: "An Act to amend Section 2235, Revised Codes of Montana, 1921, relating to sales of tax title property by Boards of County Commissioners, and providing for the rental of lands sold to the county for delinquent taxes," do pass.

DONALDSON, Chairman.

On motion of Donaldson, report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 101, introduced by Nelstead, respectfully report as follows:

That House Bill No. 101 do not pass.

But herewith submit Substitute House Bill No. 101, introduced by Committee on Highways: A Bill for an Act entitled: "An Act to amend Section 1617 of the Revised Codes of Montana of 1921, relating to the levy of a tax for road purposes, and providing for transfer of any surplus funds to the Special Bridge Fund to be used in the maintenance and repairing of bridges."

That Substitute House Bill No. 101 do pass.

MOSS, Chairman.

On motion of Moss, report adopted.

Mr. Speaker: We, your Committee on Constitutional Amendments, having had under consideration House Bill No. 37, introduced by Hanson and Brandt, respectfully report as follows:

That House Bill No. 37 be amended as follows:

Section 4. By striking out the word "one" in line 14 and inserting in lieu thereof the word "two;" and by inserting in line 14 after the word "District" the following words "unless more than one-half of the qualified of the county reside in said city."

And as amended that it do pass.

HOLT, Chairman.

On motion of Holt, report adopted.

Mr. Speaker: We, your Committee on Constitutional Amendments, having had under consideration House Bill No. 4, introduced by Besancon, respectfully report as follows:

That House Bill No. 4 do pass.

HOLT, Chairman.

On motion of Holt, report adopted.

Mr. Speaker: We, your Committee on Livestock and Public Ranges, having had under consideration substitute for Senate Bill No. 54, introduced by Committee on Stock Growing and Grazing, respectfully report as follows:

That substitute for Senate Bill No. 54 be concurred in.

LEAVENS, Chairman.

On motion of Leavens, report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 177, introduced by Committee on Livestock and Public Ranges, respectfully report as follows:

That House Bill No. 177 be amended as follows:

By adding after the title the words "Be it enacted by the Legislative Assembly of the State of Montana."

By adding to Section 3 the following: "The work contemplated by this Act shall constitute a part of the work of the Montana Experiment Station, and shall bear the same relation to the State Board of Education as the other activities of the Montana Experiment Station; and the Director of the Experiment Station shall receive no compensation for the work contemplated by this Act other than his salary as Director of the Montana Experiment Station as determined by the State Board of Education."

And when so amended, do pass.

O. M. WOLD, Chairman.

On motion of Parkin, report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 278, introduced by Loble, A. T. Larsen, et al., respectfully report as follows:

That House Bill No. 278 be amended:

Amend the title by adding in line 1 after the word "Banking" and before the word "Code" the words "and Building and Loan Association."

Amend Section 1, line 2, by adding after the word "Banking" and before the word "Code" the words "and Building and Loan Association." In line 3 of said Section 1 strike out the word "three" and insert in lieu thereof the word "Five." In line 3, after the word "members" add the word "one." In line 4 after the word "Governor" and before the word "one" the words "two by the Speaker of the House and two by the President of the Senate of the 19th Legislative Assembly." In line 4 the word "one" be stricken out and in lieu thereof the word "two" be inserted. In line 5 strike out the word "one" after the words "Central Montana, and," and before the words "in Western Montana" and insert in lieu thereof the word "two."

Amend Section 4, line 2, by adding after the word "banking" and before the word "and" the words "Building and Loan Association."

Amend Section 5, line 4, after the word "banking" and before the word "incorporation" the words "Building and Loan Association." In line 9 after the word "banks" and before the word "and" the words "and Building and Loan Associations. In line 11 after the word "code" the comma and words "and Building and Loan Code." In line 12 after the word "Banks" and before the word "and" the words "and Building and Loan Associations." In line 13 after the word "business" and before the word "in" the words "and Building and Loan Business."

Section 7, line 3, after the word "of" and before the word "or" strike out the figures "\$5000.00" and insert in lieu thereof the words and figures "Seven Thousand Dollars (\$7,000.00)."

And when so amended do pass.

O. M. WOLD, Chairman.

On motion of Hawley, report adopted.

Mr. Speaker: We, your Committee on Corporations Other Than Municipal, having had under consideration House Bill No. 371, introduced by Nelstead, by request, respectfully report as follows:

That House Bill No. 371 be amended as follows:

The title be amended to read as follows: A Bill for an Act entitled: "An Act to confer upon the Board of Railroad Commissioners of the State of Montana, power to award reparation for damages suffered for any violation of any of the provisions of Sections 3779 to 3817, inclusive, Revised Codes, Montana, 1921, and Acts amendatory thereof and supplemental thereto; to prescribe procedure for such awards and making this remedy cumulative and additional to all existing remedies."

And that the bill be amended as follows:

By striking out on page 2 of the original typewritten bill the following language in lines 19, 20 and 21 thereof, being the last sentence in Section 2 of said Act:

"If the petitioner shall finally prevail, he shall be allowed a reasonable attorney's fee to be taxed and collected as a part of the costs of the suit."

And as amended, said bill do pass.

NELSTEAD, Chairman.

On motion of Nelstead, report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 374, introduced by Schoening, respectfully report as follows:

That House Bill No. 374 be amended: By striking out all of Section 1 of the bill, and renumbering Sections 2, 3 and 4 as Sections 1, 2, and 3, and when so amended that the bill do pass.

TROY, Chairman.

On motion of Troy, report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 365, introduced by Larson, et al., respectfully report as follows:

That House Bill No. 365 do not pass.

TROY, Chairman.

On motion of Troy, report adopted.

Mr. Speaker: We, your Committee on Workmen's Compensation, having had under consideration House Bill No. 440, introduced by Larson of Cascade, respectfully report as follows:

That House Bill No. 440 do pass.

KENNEDY, Chairman.

On motion of Larson of Cascade, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 357, respectfully report as follows:

That House Bill No. 357 be printed and placed on General Orders.

RUFFCORN, Chairman.

On motion of Ruffcorn, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration Senate Bill No. 39, respectfully report as follows:

That Senate Bill No. 39 do pass.

RUFFCORN, Chairman.

On motion of Ruffcorn, report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 236, introduced by Rice, respectfully report as follows:

That House Bill No. 236 be amended as follows:



By striking out the words "and female" in Section 2, line 4, after the word "male;" and also by adding the following at the end of Section 1: "Provided that the foregoing provisions of this section shall not apply to incorporated cities and towns which by ordinance provide for the levy and collection of a like general tax within such cities and towns for road, street, and alley purposes," and when so amended that the bill be placed on General Orders.

TROY, Chairman.

On motion of Troy, report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 333, introduced by Moriarity, respectfully report as follows:

That said House Bill No. 333 do not pass.

CLARKE, Chairman.

On motion of Clarke, report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 355, introduced by Beadle, Mulholland and Fitzgerald, respectfully report as follows:

That said House Bill No. 355 do not pass.

CLARKE, Chairman.

On motion of Clarke, report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 375, introduced by A. T. Larsen, respectfully report as follows:

That said House Bill No. 375 do not pass.

CLARKE, Chairman.

Moved by Clarke, duly seconded, that report be adopted.

Moved by Fitzgerald, as substitute motion, duly seconded, that House Bill No. 375 be printed and placed on General Orders.

Question arising on substitute motion, same was lost.

Question now arising on original motion that report be adopted, same carried.

Mr. Speaker: We, your Committee on Petroleum, Oil and Gas Affairs, having had under consideration House Bill No. 359, introduced by Rice, respectfully report as follows:

That said House Bill No. 359 do not pass.

But that Substitute House Bill No. 359, introduced by Rice: A Bill for an Act entitled: "An Act to require the lessee in an oil and gas lease to drill off-set wells and prescribing the penalty for failure to do so," do pass.

MOULTON, Chairman.

On motion of Holt, report adopted.

The Committee on Enrolling reported as follows:

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled:

House Bills No. 179, No. 172, No. 214.

McAFEE, Chairman

The Committee on Printing reported as follows:

Mr. Speaker: We, your Committee on Printing, beg leave to report the following bills correctly printed:

House Bills No. 437, No. 35, No. 382, No. 385, No. 384, No. 394, No. 229, No. 283, No. 338, No. 339, No. 396, No. 395, No. 324.

FRED W. ZEH, Chairman.

The Speaker gave notice to the House that he was about to sign House Bill No. 172, House Bill No. 179, and House Bill No. 214, and thereupon signed the same respectively.

Moved by Hanson, duly seconded and carried, that House recess until 7:30 P. M.

### EVENING SESSION

House resumed at 7:30 P. M.

Mr. Speaker in the chair.

The Committee on Revenue and Taxation were excused temporarily on account of committee meeting.

### THIRD READING OF HOUSE BILLS

House Bill No. 288, introduced by Ainsworth, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Berryman, Besancon, Brandt, Budas, Caplis, Castles, Clarke, Cusick, Dellwo, Donaldson, Doran, Duncan, Fairgrieve, Fitzgarrald, Flachsenhar, Flynn, Graybill, Green, Hanson, Harris, Hedrick, Higham, Holt, Holton, Johnson (Fergus), Kelly, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Masters, Meagher, Miller, Morris, Mulholland, Murphy, McGrath, Nagle, Patterson, Peat, Peterson, Plumer, Reed, Rice, Ruffcorn, Rupert, Ryder, Steeves, Stoddard, Throssel, Troy, Waite, White, Wuerthner, Mr. Speaker. Total—59

Noes: Johnson (Valley), Kennedy, McAfee, Smith (Lewis and Clark), Smith (Beaverhead). Total—5.

Absent and not voting: Andrus, Beadle, Bergstrom, Burns, Campbell, Davis, Eaton, Fitzgerald, Fletcher, Fox, Gordon, Harcastle, Hawley, Hoffman, Joffray, Keeley, Kinville, Lemmon, Loble, Merritt, Moriarity, Moss, Moulton, McCarty, Nelson, Nelstead, Parkin, Plank, Sales, Schoening, Shields, Strange, Tinsley, Walker, Walton, Wold, Zeh. Total—37.

House Bill No. 297, introduced by Parkin and Gordon, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Bergstrom, Brandt, Budas, Caplis, Castles, Clarke, Cusick, Dellwo, Donaldson, Doran, Duncan, Fairgrieve, Fitzgarrald, Flachsenhar, Flynn, Graybill, Green, Hanson, Harris, Hedrick, Higham, Holt, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Kelly, Kennedy, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Loble, Masters, Meagher, Merritt, Moriarity, Morris, Moulton, Mulholland, Murphy, McAfee, McGrath, Nelstead, Patterson, Peat, Peterson, Plumer, Reed, Rice, Ruffcorn, Rupert, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Throssel, Tinsley, Troy, Waite, Walker, White, Wuerthner, Mr. Speaker. Total—69.

Noes: Miller. Total—1.

Absent and not voting: Andrus, Beadle, Berryman, Besancon, Burns, Campbell, Davis, Eaton, Fitzgerald, Fletcher, Fox, Gordon, Harcastle, Hawley, Hoffman, Keeley, Kinville, Lemmon, Moss, McCarty, Nagle, Nelson, Parkin, Plank, Ryder, Sales, Schoening, Strange, Walton, Wold, Zeh. Total—31.

House Bill No. 78, introduced by Beadle, Mulholland and Fitzgerald, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Budas, Caplis, Castles, Clarke, Cusick, Dellwo, Donaldson, Doran, Duncan, Fairgrieve, Fitzgarrald, Flachsenhar, Flynn, Graybill, Hanson, Harris, Hedrick, Higham, Holt, Johnson (Fergus), Johnson (Valley), Keeley, Kennedy, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Loble, Masters, Miller, Moriarity, Morris, Moulton, Mulholland, Murphy, McAfee, McGrath,

Nelstead, Peat, Peterson, Plumer, Rice, Ruffcorn, Rupert, Ryder, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Throssel, Tinsley, Troy, Waite, Walker, White, Wuerthner, Zeh, Mr. Speaker. Total—63.

Noes: None.

Absent and not voting: Beadle, Bergstrom, Berryman, Besancon, Brandt, Burns, Campbell, Davis, Eaton, Fitzgerald, Fletcher, Fox, Gordon, Green, Hardcastle, Hawley, Hoffman, Holton, Joffray, Kelly, Kinville, Lemmon, Meagher, Merritt, Moss, McCarty, Nagle, Nelson, Parkin, Patterson, Plank, Reed, Sales, Schoening, Shields, Strange, Walton, Wold. Total—38.

House Bill No. 287, introduced by Tinsley and Smith of Beaverhead, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Brandt, Budas, Castles, Clarke, Cusick, Doran, Duncan, Fairgrieve, Fitzgarrald, Flachsenhar, Flynn, Graybill, Green, Hanson, Harris, Hedrick, Higham, Holt, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kennedy, Larson (Cascade), Larsen (Sheridan), Leavens, Lincoln, Loble, Masters, Miller, Moriarity, Morris, Moulton, Mulholland, Murphy, McAfee Nelstead, Patterson, Peat, Peterson, Plumer, Reed, Rice, Rupert, Ryder, Smith (Lewis and Clarke), Smith (Beaverhead), Steeves, Stoddard, Throssel, Tinsley, Troy, Waite, Walker, White, Wuerthner, Zeh, Mr. Speaker. Total—61.

Noes: Campbell, Dellwo, Larson (Sheridan). Total—3.

Absent and not voting: Andrus, Beadle, Bergstrom, Berryman, Besancon, Burns, Caplis, Davis, Donaldson Eaton, Fitzgerald, Fletcher, Fox, Gordon, Hardcastle, Hawley, Hoffman, Holton, Kelly, Kinville, Lemmon, Meagher, Merritt, Moss, McCarty, McGrath, Nagle, Nelson, Parkin, Plank, Ruffcorn, Sales, Schoening, Shields, Strange, Walton, Wold. Total—37.

House Bill No. 294, introduced by Hedrick, Walker, Moulton, and Johnson of Fergus, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Brandt, Budas, Campbell, Castles, Clarke, Cusick, Dellwo, Doran, Duncan, Fairgrieve, Fitzgarrald, Flachsenhar, Flynn, Graybill, Green, Hanson, Harris, Hedrick, Higham, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kennedy, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Loble, Masters, Miller, Moriarity, Morris, Moulton, Mulholland, Murphy, McAfee, Nelstead, Patterson, Peat, Peterson, Plumer, Rice, Rupert, Ryder, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Throssel, Tinsley, Troy, Walker, White, Wuerthner, Zeh, Mr. Speaker. Total—61.

Noes: None.

Absent and not voting: Andrus, Beadle, Bergstrom, Berryman, Besancon, Burns, Caplis, Davis, Donaldson, Eaton, Fitzgerald, Fletcher, Fox, Gordon, Hanson, Hardcastle, Hawley, Hoffman, Holt, Holton, Kelly, Kinville, Lemmon, Meagher, Merritt, Moss, McCarty, McGrath, Nagle, Nelson, Parkin, Plank, Reed, Ruffcorn, Sales, Shields, Strange, Waite, Walton, Wold. Total—40.

House Bill No. 276, introduced by Committee on Banks and Banking, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Brandt, Budas, Campbell, Castles, Clarke, Cusick, Dellwo, Doran, Duncan, Fairgrieve, Fitzgarrald, Flachsenhar, Flynn, Gordon, Graybill, Green, Hanson, Harris, Hedrick, Higham, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kennedy, Larson (Cascade), Larsen (Sheridan), Leavens, Lincoln, Loble, Masters, Merritt, Miller, Moriarity, Morris, Moulton, Mulholland, Murphy, McGrath, Nelstead, Patterson, Peat, Peterson, Rice, Rupert, Ryder, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Throssel, Tinsley, Troy, Waite, Walker, White, Wuerthner, Zeh, Mr. Speaker. Total—63.

Noes: Plumer. Total—1.



Absent and not voting: Andrus, Beadle, Bergstrom, Berryman, Besancon, Burns, Caplis, Davis, Donaldson, Eaton, Fitzgerald, Fletcher, Fox, Hardcastle, Hawley, Hoffman, Holt, Holton, Kelly, Kinville, Larson (Sheridan), Lemmon, Meagher, Moss, McAfee, McCarty, Nagle, Nelson, Parkin, Plank, Reed, Ruffcorn, Sales, Shields, Strange, Walton, Wold. Total—37.

House Bill No. 269, introduced by Flachsenhar, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Anderson, Brandt, Budas, Campbell, Castles, Clarke, Dellwo, Doran, Duncan, Fairgrieve, Fitzgarrald, Flachsenhar, Flynn, Gordon, Graybill, Green, Hanson, Harris, Hedrick, Higham, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kennedy, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Loble, Masters, Merritt, Miller, Morris, Mulholland, Murphy, McAfee, McGrath, Nelstead, Patterson, Peat, Rice, Rupert, Ryder, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Throssel, Tinsley, Troy, Waite, Walker, White, Wuerthner, Zeh, Mr. Speaker. Total—58.

Noes: Cusick, Fox, Lincoln, Moriarity, Peterson, Plumer, Stoddard. Total—7.

Absent and not voting: Akofer, Andrus, Beadle, Bergstrom, Berryman, Besancon, Burns, Caplis, Davis, Donaldson, Eaton, Fitzgerald, Fletcher, Hardcastle, Hawley, Hoffman, Holt, Holton, Kelly, Kinville, Lemmon, Meagher, Moss, Moulton, McCarty, Nagle, Nelson, Parkin, Plank, Reed, Ruffcorn, Sales, Shields, Strange, Walton, Wold. Total—36.

House Bill No. 225, introduced by Committee on Banks and Banking, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Brandt, Budas, Castles, Clarke, Dellwo, Doran, Duncan, Fairgrieve, Fitzgarrald, Flachsenhar, Flynn, Fox, Gordon, Graybill, Green, Hanson, Harris, Hedrick, Higham, Joffray, Johnson (Fergus), Johnson (Valley), Kennedy, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Loble, Masters, Merritt, Miller, Moriarity, Morris, Moulton, Mulholland, Murphy, McAfee, McGrath, Nelstead, Patterson, Peat, Peterson, Plumer, Rice, Rupert, Ryder, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Throssel, Tinsley, Troy, Waite, Walker, White, Wuerthner, Zeh, Mr. Speaker. Total—62.

Noes: Burns, Campbell, Cusick, Keeley, Lincoln, Schoening. Total—6.

Absent and not voting: Andrus, Beadle, Bergstrom, Berryman, Besancon, Caplis, Davis, Donaldson, Eaton, Fitzgerald, Fletcher, Hardcastle, Hawley, Hoffman, Holt, Holton, Kelly, Kinville, Lemmon, Meagher, Moss, McCarty, Nagle, Nelson, Parkin, Plank, Reed, Ruffcorn, Sales, Shields, Strange, Walton, Wold. Total—33.

House Bill No. 258, introduced by Cusick, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Besancon, Brandt, Budas, Burns, Campbell, Castles, Clarke, Cusick, Davis, Dellwo, Doran, Duncan, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Flynn, Gordon, Graybill, Green, Hanson, Harris, Hawley, Hedrick, Higham, Johnson (Fergus), Johnson (Valley), Kennedy, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Loble, Masters, Merritt, Miller, Moriarity, Morris, Moulton, Mulholland, Murphy, McAfee, McGrath, Nelstead, Patterson, Peat, Peterson, Plank, Plumer, Rice, Rupert, Ryder, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Throssel, Troy, Waite, Walker, White, Wuerthner, Zeh, Mr. Speaker. Total—68.

Noes: Keeley. Total—1.

Absent and not voting: Andrus, Beadle, Bergstrom, Berryman, Caplis, Donaldson, Eaton, Fletcher, Fox, Hardcastle, Hoffman, Holt, Holton, Joffray, Kelly, Kinville, Lemmon, Meagher, Moss, McCarty, Nagle, Nelson, Parkin, Reed, Ruffcorn, Sales, Shields, Stoddard, Strange, Tinsley, Walton, Wold. Total—32.

House Bill No. 267, introduced by Smith of Lewis and Clark, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Andrus, Bergstrom, Berryman, Burns, Campbell, Clarke, Davis, Donaldson, Eaton, Fitzgarrald, Flachsenhar, Flynn, Gordon, Graybill, Green, Hanson, Harris, Hawley, Hedrick, Holt, Holton, Johnson (Fergus), Kennedy, Larson (Cascade), Leavens, Lincoln, Loble, Merritt, Nagle, Nelstead, Patterson, Peat, Reed, Rice, Rupert, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Strange, Throssel, Walker, White, Wold, Wuerthner, Zeh, Mr. Speaker. Total—47.

Noes: Anderson, Beadle, Besancon, Brandt, Budas, Caplis, Castles, Cusick, Dellwo, Doran, Duncan, Fairgrieve, Fitzgerald, Fox, Higham, Hoffman, Joffray, Johnson (Valley), Keeley, Kelly, Larsen (Sheridan), Larson (Sheridan), Masters, Meagher, Miller, Moriarity, Morris, Moulton, Mulholland, Murphy, McAfee, McGrath, Peterson, Plank, Plumer, Ryder, Shields, Steeves, Stoddard, Tinsley, Troy. Total—41.

Absent and not voting: Akofer, Fletcher, Hardcastle, Kinville, Lemmon, Moss, McCarty, Nelson, Parkin, Ruffcorn, Sales, Walton. Total—12.

Present and not voting: Waite. Total—1.

House Bill No. 134, introduced by Ruffcorn, et al., having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Andrus, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Castles, Cusick, Davis, Dellwo, Donaldson, Duncan, Eaton, Fairgrieve, Fitzgarrald, Flachsenhar, Flynn, Gordon, Graybill, Green, Hanson, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Johnson (Fergus), Johnson (Valley), Larson (Cascade), Larsen (Sheridan), Leavens, Lincoln, Masters, Merritt, Morris, Nelstead, Peat, Peterson, Plank, Reed, Rice, Ruffcorn, Rupert, Ryder, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Strange, Throssel, Tinsley, Waite, White, Wold, Wuerthner, Zeh, Mr. Speaker. Total—62.

Noes: Akofer, Anderson, Beadle, Caplis, Clarke, Doran, Fitzgerald, Fox, Joffray, Keeley, Kelly, Larson (Sheridan), Loble, Meagher, Miller, Moriarity, Moulton, Mulholland, Murphy, McAfee, McGrath, Nagle, Patterson, Plumer, Shields, Stoddard, Troy, Walker. Total—28.

Absent and not voting: Fletcher, Hardcastle, Kennedy, Kinville, Lemmon, Moss, McCarty, Nelson, Parkin, Sales, Walton. Total—11.

House Bill No. 301, introduced by Campbell, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Besancon, Brandt, Budas, Burns, Campbell, Castles, Clarke, Cusick, Davis, Dellwo, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Flynn, Fox, Gordon, Graybill, Green, Hanson, Harris, Hawley, Hedrick, Higham, Holt, Johnson (Fergus), Johnson (Valley), Keeley, Kennedy, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Loble, Masters, Meagher, Merritt, Miller, Moriarity, Morris, Moulton, Mulholland, Murphy, McAfee, McGrath, Nelstead, Patterson, Peat, Peterson, Plank, Plumer, Rice, Rupert, Ryder, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Throssel, Tinsley, Troy, Waite, Walker, White, Wold, Wuerthner, Zeh, Mr. Speaker. Total—79.

Noes: None.

Absent and not voting: Berryman, Caplis, Donaldson, Fletcher, Hardcastle, Hoffman, Holton, Joffray, Kelly, Kinville, Lemmon, Moss, McCarty, Nagle, Nelson, Parkin, Reed, Ruffcorn, Sales, Shields, Strange, Walton. Total—22.

Moved by Loble, duly seconded and carried, that Clerk be directed to insert "Substitute" before "House Bill No. 184" on printed bill and notify the Senate that such should be inserted on printed bill since it was inadvertently omitted in printing same.



Substitute House Bill No. 184, introduced by Committee on Revenue and Taxation, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Besancon, Brandt, Budas, Burns, Campbell, Clarke, Cusick, Davis, Dellwo, Duncan, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Flynn, Gordon, Graybill, Green, Hanson, Hardcastle, Hawley, Hedrick, Higham, Holt, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kennedy, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Masters, Merritt, Miller, Moriarity, Morris, Moulton, Mulholland, Murphy, McGrath, Nelstead, Patterson, Peat, Peterson, Plank, Rice, Ruffcorn, Rupert, Ryder, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Throssel, Tinsley, Troy, Waite, Walker, White, Wold, Wuerthner, Zeh, Mr. Speaker. Total—73.

Noes: Plumer. Total—1.

Absent and not voting: Bergstrom, Berryman, Castles, Caplis, Donaldson, Doran, Fletcher, Fox, Harris, Hoffman, Holton, Kelly, Kinville, Lemon, Loble, Meagher, Moss, McAfee, McCarty, Nagle, Nelson, Parkin, Reed, Sales, Shields, Strange, Walton. Total—27.

### CONSIDERATION OF GENERAL ORDERS

Moved by Ruffcorn, duly seconded and carried, that House now resolve itself into Committee of the Whole for Consideration of General Orders and that debate be limited to five minutes for authors or proponents of bills and to three minutes to others and that there be no trading of time.

Mr. Joffray in the chair.

The Committee arose.

Mr. Speaker in the chair.

The Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration bills on General Orders, respectfully report as follows: That

House Bill No. 280 do pass.

House Bill No. 282 do pass.

House Bill No. 97 be passed for the time being.

House Bill No. 308 do pass.

House Bill No. 313 be passed for the time being.

House Bill No. 312 Senate amendments be concurred in.

Senate Bill No. 17 be concurred in.

Senate Bill No. 23 be concurred in.

Senate Bill No. 25 be concurred in.

Senate Bill No. 41 be concurred in.

Senate Bill No. 42 be passed for time being.

Senate Bill No. 52 be passed for time being.

Senate Bill No. 53 be concurred in.

Senate Bill No. 70 be concurred in.

Senate Bill No. 61 be concurred in.

Senate Bill No. 63 be concurred in.

Senate Bill No. 64 be concurred in.

Senate Bill No. 65 be concurred in.

Senate Bill No. 66 be concurred in.

Senate Bill No. 67 be concurred in.

Senate Bill No. 82 be passed for time being.

Senate Bill No. 29 be passed for time being.

Senate Bill No. 45 be passed for time being.

Senate Bill No. 101 be passed for time being.

JOFFRAY, Chairman.

On motion of Joffray, report adopted.

On request of Holt, House reverted to Order of Business No. 4:



## REPORTS OF STANDING COMMITTEES

The following reports from Standings Committees were received:

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 438, by Graybill, respectfully report as follows:

That House Bill No. 438 do not pass, but that Substitute for House Bill No. 438, by the Committee on Ways and Means, entitled: A Bill for an Act entitled: "An Act to amend Sections 11048, 11049, 11050, 11051, 11052, 11053, 11054 and 11055 of the Revised Codes of Montana of 1921, relating to intoxicating liquors and governing the issuance of permits for the manufacture, sale and use thereof, and repealing Sections 11097 and 11098 of the Revised Codes of Montana of 1921 and all Acts and parts of Acts in conflict herewith" be printed and placed on General Orders.

TROY, Chairman.

On motion of A. T. Larsen, report adopted.

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration House Bill No. 20, by Flachsenhar, respectfully report as follows:

That House Bill No. 20 do not pass, but that Substitute House Bill No. 20, by the Committee on Privileges and Elections: A Bill for an Act entitled: "An Act to amend Chapter 48 of Part III of the Political Code of the Revised Codes of Montana of 1921, by adding two new sections to be known as Sections 553 (a) providing for a register of the party affiliation of voters and Section 553 (b) providing for a declaration of political party, and providing for a referendum of said Act at the general election to be held in November, 1926," be printed and placed on General Orders.

HARRIS, Chairman.

On motion of Harris, report adopted.

Mr. Speaker: We, your Committee on Agriculture, having had under consideration House Joint Resolution No. 6, by Anderson, respectfully report as follows: That House Joint Resolution No. 6 be printed and placed on General Orders.

HANSON, Chairman.

On motion of Hanson, report adopted.

Mr. Speaker: We, the majority of your Committee on Workmen's Compensation, having had under consideration House Bill No. 306, introduced by Wold, respectfully report as follows: That House Bill No. 306 do not pass.

FAIRGRIEVE,  
MERRITT,  
E. M. LARSON,  
MOULTON,  
KINVILLE,  
DORAN,  
NAGLE,  
ZEH,  
WUERHNER,  
KENNEDY, Chairman.

Mr. Speaker: We, the minority of your Committee on Workmen's Compensation, having had under consideration House Bill No. 306, introduced by Wold, respectfully report as follows: That House Bill No. 306 do pass.

AINSWORTH,  
LARSON,  
LINCOLN.

Moved by Kennedy, duly seconded, that majority report be adopted.

Moved by Ainsworth, duly seconded as a substitute motion, that minority report be adopted.

Moved by Keeley, duly seconded, that House adjourn until 9:30 A. M., February 19, 1925.

Question arising on motion to adjourn, same failed.

Question arising on substitute motion to adopt minority report, same carried.

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration, Senate Bill No. 37, by Watson, respectfully report as follows: That Senate Bill No. 37 be concurred in.

HARRIS, Chairman.

On motion of Harris, report adopted.

Moved by Hanson, duly seconded and carried, that House adjourn until 9:30 A. M., February 19, 1925.

R. C. BRICKER, Speaker.

Attest: H. J. FAUST, Chief Clerk.

## FORTY-SIXTH DAY

House of Representatives,  
Helena, Montana, February 19, 1925.

House met pursuant to adjournment at 9:30 A. M.

Mr. Speaker in the chair.

Prayer by the Chaplain.

On roll call all present except: Lemmon, excused on account of sickness; Loble and McCarty, excused.

The Committee on Journal reported as follows:

Mr. Speaker: We, your Committee on Journal, have this day examined the Journal for the Forty-fifth Legislative day and found the same correct.

PEARL I. SMITH, Chairman.

On motion of Smith of Beaverhead, report adopted.

## INTRODUCTION OF BILLS AND MEMORIALS

The following bills were introduced, read first and second times by title only and referred to committees as follows:

Senate Substitute for Senate Bill No. 2, by Committee on Finance and Claims: A Bill for an Act entitled: "An Act regulating the fiscal management of, fixing the fiscal year for, and controlling and regulating the raising of revenue and the expenditure thereof during each fiscal year by all counties, cities, towns and consolidated cities and counties, and their institutions and agencies; requiring the making and filing of estimates of probable revenues from all sources and proposed expenditures for all purposes during each fiscal year; providing for the making and filing of provisional budgets, for the publication thereof, for public hearings thereon and for the approval and adoption of annual budgets of expenditures to be made for all purposes during each fiscal year; prescribing the manner of paying claims filed after the expiration of the fiscal year; providing for the rising of revenue, in addition to budget estimates and appropriations, by taxation; providing for the payment of warrant indebtedness outstanding at the close of the fiscal year ending June 30th, 1925; providing penalties for the violation of provisions of this Act; and repealing Sections 224, 225, 226, 227, 228, 229, 230, 4631, 5217, and 5218 of the Revised Codes of Montana, 1921." Referred to Townships and Counties Committee.

Senate Bill No. 31, introduced by Paul: A Bill for an Act entitled: "An Act relating to drunkenness as being no excuse for crime and how insanity as a defense must be proven, and amending Section 10728 of the Codes of the State of Montana of 1921, being a part of Chapter 1 of the Penal Code of the State of Montana of 1921, entitled "Definitions and preliminary provisions" by adding to said Section a sub-division or sub-section to be known

as No. 2, and which relates to how insanity, as a defense, shall be proven." Referred to Public Morals Committee.

Senate Bill No. 88, by Church: A Bill for an Act entitled: "An Act to amend Sections 6489, 6490, 6492 and 6494 of the Revised Codes of Montana, 1921, relating to the appointment of trustees of cemetery association funds." Referred to Internal Improvements Committee.

Senate Bill No. 105, by McCone and Oliver: A Bill for an Act entitled: "An Act to amend Section 6023 of the Revised Codes of Montana of 1921, relating to the amount of capital stock and surplus necessary to the procuring of certificate of authorization, and providing further for the fixing of the amount of capital stock and surplus necessary in cities or towns of different population." Referred to Committee on Banks and Banking.

Senate Bill No. 116, by Pomeroy, McCormick, McCabe, Watson and Buttelman: A Bill for an Act entitled: "An Act amending Section 8812 of the Revised Codes of Montana of 1921, relating to judicial districts, and abolishing the Twelfth Judicial District and attaching the county of Chouteau to the Eighth Judicial District, which district shall have two district judges." Referred to Judiciary Committee.

Senate Bill No. 117, by Mears, Staggs and Gilboe: A Bill for an Act entitled: "An Act to amend Sections 351 and 352 of the Revised Codes of Montana of 1921, as amended by Sections 4 and 5 of Chapter 40 of the Session Laws of the eighteenth Legislative Assembly of Montana of 1923 relating to tax levies upon lands growing crops which are covered by State hail insurance." Referred to Agriculture Committee.

Senate Bill No. 123, by Committee on Education: A Bill for an Act entitled: "An Act providing that the County Treasurer in counties maintaining County High Schools shall keep moneys collected for maintenance of County and District High Schools in a separate fund and shall not pay out such funds until they are apportioned by the County Superintendent and providing for the payment of County High School Warrants from certain funds." Referred to Committee on Education.

#### CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

Moved by Larsen, duly seconded and carried, that messages from Senate be considered read at length and the Journal so show.

The following messages were received from Senate:

Helena, Montana, February 18, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate bills were this day read third time and passed, title agreed to, and are herewith transmitted to the House for concurrence:

Senate Substitute for S. B. No. 2 by Finance and Claims Committee.

S. B. No. 31, by Paul.

S. B. No. 88, by Church.

S. B. No. 105, by McCone and Oliver.

S. B. No. 116, by Pomeroy, McCormick, McCabe, Watson and Buttelman.

S. B. No. 117, by Mears, Staggs and Gilboe.

S. B. No. 123, by Committee on Education.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 18, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Standing Committees have this day made the following reports:

Committee on Stock Growing and Grazing report that H. B. No. 284 be concurred in; that H. B. No. 82, by Dellwo, be concurred in.



Committee on Finance and Claims report that H. B. No. 168 be concurred in.

Committee on Finance and Claims report that H. B. No. 197 be concurred in.

Committee on Revenue and Taxation report that H. B. No. 23 be concurred in; that H. B. No. 238 be concurred in.

Committee on Taxation report that H. B. No. 204 be concurred in.

Committee on Horticulture report that H. B. No. 200 be concurred in.

Reports adopted.

Respectfully,

J. F. CONE, Secretary of Senate.

### THIRD READING OF SENATE AND HOUSE BILLS

Moved by Ruffcorn, duly seconded and carried, that House pass over third reading of Senate and House Bills and proceed immediately to Order of Business No. 10.

### CONSIDERATION OF GENERAL ORDERS

Moved by Ruffcorn, duly seconded and carried, that House now resolve itself into Committee of the Whole for Consideration of General Orders and that debate be limited to five minutes for authors or proponents of bills and to three minutes to others with no trading of time.

Mr. Johnson of Fergus in the chair.

The Committee arose.

Speaker Pro-Tem in chair.

The Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration Bills on General Orders, respectfully report as follows: That

House Bill No. 97, the enacting clause be stricken out.

House Bill No. 313 be passed for time being.

House Bill No. 35 be passed for time being.

House Bill No. 206 do pass.

House Bill No. 229 be passed for time being.

House Bill No. 230 be passed for time being.

House Bill No. 242 be passed for time being.

Substitute House Bill No. 248 do pass.

House Bill No. 236 do pass.

House Bill No. 283 do pass.

House Bill No. 312 do pass.

House Bill No. 324 do pass.

House Bill No. 338 do pass.

House Bill No. 339 do pass.

House Bill No. 382 be amended as follows:

Section 1. By striking out in line 16 the word "Toole," and inserting in lieu thereof the word "Pondera."

And that as amended same do pass.

House Bill No. 383 do pass.

House Bill No. 384 be amended as follows:

Section 1. By striking out in lines 13 and 14 the words and figures, "Forty-five Hundred Dollars (\$4500.00)," and inserting in lieu thereof the words and figures, "Thirty-five Hundred Dollars (\$3500.00)."

Section 2. By striking out in lines 10 and 11 the words and figures "Three Thousand Three Hundred Seventy-five Dollars (\$3,375.00)" and in-

serting in lieu thereof the words and figures, "Three Thousand Dollars (\$3000.00)."

And that as amended same do pass.

JOHNSON, Chairman.

On motion of Johnson of Fergus, report adopted.

The Printing Committee reported as follows:

Mr. Speaker: We, your Committee on Printing, beg leave to report the following bills correctly printed:

House Bills 398, 244, 381, 356, 406, 392, 67, 323, 379, 444, 33, 439, 441, 388, 363; House Joint Resolutions 8 and 10.

FRED W. ZEH, Chairman.

The Engrossing Committee reported as follows:

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed:

Substitute House Bills 139, 59.

House Bills Nos. 344, 341, 343, 334, 86, 340, 69, 277, 254, 163, 361, 327, 315, 342.

BERRYMAN, Chairman.

There being no objections, House reverted to Order of Business No. 4:

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, the majority of your Committee on Public Morals, Charities and Reforms, having had under consideration House Bill No. 345, introduced by Fairgrieve, Keeley, Akofer, Campbell and Besancon, respectfully report as follows: That House Bill No. 345 do not pass.

PEARL I. SMITH,  
BRANDT,  
ANDRUS,  
MILLER,  
BURNS,  
EATON,  
SMITH,  
HEDRICK, Chairman.

Mr. Speaker: We, the minority of your Committee on Public Morals, Charities and Reforms, having had under consideration House Bill No. 45, introduced by Fairgrieve, Keeley, Akofer, Campbell and Besancon, respectfully report as follows: That House Bill No. 345 do pass.

FOX,  
HARDCASTLE.

Moved by Hedrick, duly seconded, that majority report be adopted.

Moved by Fox, as substitute motion, duly seconded, that minority report be adopted.

Question arising on substitute motion, same carried.

Mr. Speaker: We, the majority of your Committee on Public Morals, Charities and Reforms, having had under consideration House Bill No. 427, introduced by Strange and Fitzgerald, respectfully report as follows: That House Bill No. 427 do pass.

BRANDT,  
GRAYBILL,  
ANDRUS,  
HEDRICK,  
MILLER,  
HARDCASTLE,  
EATON, Chairman.

Mr. Speaker: We, your Committee on Public Morals, Charities and Reforms, having had under consideration House Bill No. 427, introduced by Strange and Fitzgerald, respectfully report as follows:

That House Bill No. 427 do not pass.

SMITH,  
BURNS,  
FITZGERALD (Silver Bow)  
FOX.

Moved by Hedrick, duly seconded, that majority report be adopted.

Moved by Fitzgerald, as substitute motion, duly seconded, that minority report be adopted.

Moved by Troy, as substitute motion for all motions pending, that motion to adopt minority report be laid on the table.

Question arising on substitute motion for all pending motions, that minority report be laid on the table. Same carried.

Moved by Davis, duly seconded and carried, that House adjourn until 2:30 P. M.

### AFTERNOON SESSION

House resumed at 2:30 P. M.

Mr. Speaker in the chair.

Committee on Education were excused temporarily.

### THIRD READING OF SENATE BILLS

Senate Bill No. 17, by Church, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Akofer, Anderson, Beadle, Berryman, Brandt, Budas, Burns, Campbell, Caplis, Castles, Clarke, Cusick, Davis, Donaldson, Doran, Duncan, Eaton, Fitzgerald, Flachsenhar, Fletcher, Fox, Gordon, Graybill, Green, Hanson, Hardcastle, Harris, Hedrick, Higham, Hoffman, Holt, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kennedy, Larson (Cascade), Larson (Sheridan), Leavens, Lincoln, Masters, Meagher, Miller, Moriarity, Morris, Moulton, Murphy, McAfee, McGrath, Nagle, Nelson, Nedstead, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Rice, Rupert, Ryder, Sales, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Tinsley, Troy, Waite, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—77.

Noes: None.

Absent and not voting: Ainsworth, Andrus, Bergstrom, Besancon, Dellwo, Fairgrieve, Fitzgarrald, Flynn, Hawley, Holton, Joffray, Kinville, Lemmon, Loble, Merritt, Moss, Mulholland, McCarty, Reed, Ruffcorn, Shields, Walker, Wold. Total—23.

Present and not voting: Larsen (Sheridan). Total—1.

Senate Bill No. 23, by Church, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Bergstrom, Berryman, Besancon, Brandt, Budas, Campbell, Caplis, Castles, Clarke, Cusick, Davis, Dellwo, Donaldson, Duncan, Fairgrieve, Fitzgerald, Flachsenhar, Fletcher, Fox, Gordon, Graybill, Green, Hanson, Hardcastle, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Masters, Meagher, Merritt, Moriarity, Morris, Moulton, Murphy, McAfee, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Reed, Rice, Rupert, Ryder, Sales, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Tinsley, Troy, Waite, Walker, Walton, White, Wuerthner, Zeh, Doran, Mr. Speaker. Total—86.

Noes: None.



Absent and not voting: Beadle, Burns, Eaton, Fitzgarrauld, Flynn, Holton, Joffray, Lemmon, Loble, Miller, Moss, Mulholland, McCarty, Ruffcorn, Wold. Total—15.

Senate Bill No. 25, by Walker, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Caplis, Castles, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Fairgrieve, Fitzgerald, Flachsenhar, Fletcher, Fox, Gordon, Graybill, Green, Hanson, Hardcastle, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Lincoln, Masters, Meagher, Merritt, Miller, Moriarity, Moulton, Murphy, McAfee, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Peterson, Plank, Plumer, Reed, Rice, Rupert, Ryder, Sales, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Troy, Waite, Walker, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—85.

Noes: None.

Absent and not voting: Beadle, Eaton, Fitzgarrauld, Flynn, Joffray, Leavens, Lemmon, Loble, Morris, Moss, Mulholland, McCarty, Peat, Ruffcorn, Tinsley, Wold. Total—16.

### THIRD READING OF HOUSE BILLS

Substitute House Bill No. 59, by Committee on Privileges and Elections, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Caplis, Castles, Clarke, Cusick, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgerald, Flachsenhar, Fletcher, Flynn, Fox, Gordon, Graybill, Green, Hanson, Hardcastle, Harris, Hawley, Hedrick, Higham, Holt, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Meagher, Merritt, Miller, Moriarity, Morris, Moulton, Murphy, McAfee, McGrath, Nelson, Nelstead, Parkin, Peterson, Plank, Reed, Rice, Rupert, Ryder, Sales, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Throssel, Tinsley, Troy, Waite, Walker, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—82.

Noes: None.

Absent and not voting: Beadle, Davis, Fitzgarrauld, Hoffman, Holton, Kennedy, Lemmon, Loble, Masters, Moss, Mulholland, McCarty, Nagle, Patterson, Peat, Plumer, Ruffcorn, Strange, Wold. Total—19.

House Bill No. 69, by Ainsworth, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Bergstrom, Besancon, Brandt, Budas, Burns, Campbell, Castles, Clarke, Cusick, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Flachsenhar, Fletcher, Green, Harris, Hedrick, Higham, Hoffman, Holt, Johnson (Fergus), Larson (Cascade), Larsen (Sheridan), Leavens, Lincoln, Meagher, Merritt, Morris, Mulholland, Murphy, Nelson, Parkin, Patterson, Peat, Plank, Rice, Rupert, Ryder, Schoening, Smith (Lewis and Clark), Steeves, Throssel, Tinsley, Troy, Walker, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—55.

Noes: Anderson, Andrus, Beadle, Davis, Fitzgerald, Flynn, Fox, Gordon, Hanson, Hardcastle, Hawley, Johnson (Valley), Keeley, Kelly, Kinville, Larson (Sheridan), Miller, Moriarity, Moulton, McAfee, McGrath, Nelstead, Peterson, Plumer, Smith (Beaverhead), Stoddard, Strange, Waite. Total—28.

Absent and not voting: Berryman, Caplis, Fitzgarrauld, Holton, Joffray, Kennedy, Lemmon, Loble, Masters, Moss, McCarty, Nagle, Reed, Ruffcorn, Sales, Shields, Wold. Total—17.

Present and not voting: Graybill. Total—1.

House Bill No. 86, by Kelly, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Caplis, Castles, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgerald, Flachsenhar, Fletcher, Flynn, Fox, Gordon, Green, Hanson, Hardcastle, Harris, Hawley, Hedrick, Higham, Holt, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kennedy, Kinville, Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Meagher, Merritt, Miller, Moriarity, Morris, Moulton, Mulholland, McAfee, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Reed, Rice, Rupert, Ryder, Sales, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Strange, Throssel, Tinsley, Troy, Waite, Walker, Walton, White, Wuerthner, Zeh, Hoffman, Mr. Speaker. Total—88.

Noes: None.

Absent and not voting: Andrus, Fitzgarrald, Graybill, Larson (Cascade), Lemmon, Loble, Masters, Moss, Murphy, McCarty, Ruffcorn, Stoddard, Wold. Total—13.

Substitute House Bill No. 139, by Committee on Railroads and Transportation, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Caplis, Castles, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgerald, Flachsenhar, Fletcher, Fox, Gordon, Graybill, Green, Hanson, Hardcastle, Hawley, Hedrick, Higham, Hoffman, Holton, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Meagher, Merritt, Miller, Moriarity, Morris, Moulton, Mulholland, Murphy, McAfee, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Reed, Rice, Ryder, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Tinsley, Troy, Walker, Walton, White, Wuerthner, Mr. Speaker. Total—84.

Noes: None.

Absent and not voting: Andrus, Fitzgarrald, Flynn, Harris, Holt, Joffray, Lemmon, Loble, Masters, Moss, McCarty, Ruffcorn, Rupert, Sales, Waite, Wold, Zeh. Total—17.

Substitute House Bill No. 163, by Committee on Judiciary, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Caplis, Castles, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Flynn, Fox, Gordon, Green, Hanson, Hardcastle, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kennedy, Kinville, Larson (Cascade), Larson (Sheridan), Larsen (Sheridan), Leavens, Lincoln, Masters, Meagher, Merritt, Miller, Moriarity, Morris, Moulton, Mulholland, McAfee, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Reed, Rice, Rupert, Ryder, Sales, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Tinsley, Troy, Waite, Walker, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—91.

Noes: None.

Absent and not voting: Andrus, Graybill, Joffray, Lemmon, Loble, Moss, Murphy, McCarty, Ruffcorn, Wold. Total—10.

House Bill No. 254, by Holton and Rice, having been read three several times, title and history agreed to, was passed by the following vote:



Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Caplis, Castles, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Flynn, Gordon, Graybill, Green, Hanson, Hardcastle, Hedrick, Higham, Hoffman, Holt, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kennedy, Kinville, Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Masters, Merritt, Miller, Moriarity, Morris, Moulton, Mulholland, Murphy, McAfee, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Reed, Rice, Rupert, Ryder, Sales, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Tinsley, Troy, Waite, Walker, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—88.

Noes: None.

Absent and not voting: Bergstrom, Fox, Harris, Hawley, Larson (Cascade), Lemmon, Loble, Meagher, Moss, McCarty, Ruffcorn, Shields, Wold. Total—13.

House Bill No. 277, by Committee on Banks and Banking, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Castles, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Fox, Gordon, Graybill, Hanson, Hardcastle, Harris, Hawley, Hedrick, Higham, Holt, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Leavens, Masters, Meagher, Merritt, Miller, Moriarity, Morris, Moulton, Mulholland, McAfee, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Reed, Rice, Rupert, Ryder, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Troy, Sales, Waite, Walker, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—84.

Noes: Flynn, Green, Larson (Sheridan), Plumer. Total—4.

Absent and not voting: Bergstrom, Caplis, Hoffman, Lemmon, Lincoln, Loble, Moss, Murphy, McCarty, Ruffcorn, Shields, Tinsley, Wold. Total—13.

House Bill No. 315, by Plank and Besancon, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Castles, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Flynn, Gordon, Graybill, Green, Hardcastle, Harris, Hawley, Higham, Hoffman, Holt, Joffray, Johnson (Fergus), Keeley, Kelly, Kennedy, Kinville, Larsen (Sheridan), Larson (Sheridan), Leavens, Masters, Meagher, Merritt, Miller, Moriarity, Moulton, Mulholland, Murphy, McAfee, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Reed, Rice, Ryder, Sales, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Stoddard, Strange, Throssel, Tinsley, Troy, Waite, Walker, Walton, White, Wuerthner, Zeh, Duncan, Mr. Speaker. Total—81.

Noes: None.

Absent and not voting: Andrus, Beadle, Bergstrom, Caplis, Fox, Hanson, Hedrick, Holton, Johnson (Valley), Larson (Cascade), Lemmon, Lincoln, Loble, Morris, Moss, McCarty, Ruffcorn, Rupert, Steeves, Wold. Total—20.

House Bill No. 327, by Strange and Fitzgarrald, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Caplis, Castles, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Flynn, Fox, Gordon, Graybill, Green, Hardcastle, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kennedy, Larsen (Sheridan),



Larson (Sheridan), Leavens, Lincoln, Masters, Meagher, Merritt, Miller, Moriarity, Moss, Moulton, Mulholland, Murphy, McAfee, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Rice, Ruffcorn, Rupert, Ryder, Sales, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Strange, Throssel, Tinsley, Troy, Waite, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—87.

Noes: None.

Absent and not voting: Bergstrom, Hanson, Joffray, Kinville, Larson (Cascade), Lemmon, Loble, Morris, McCarty, Plumer, Reed, Stoddard, Walker, Wold. Total—14.

House Bill No. 334, by Donaldson, having been read three several times, title and History agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Berryman, Besancon, Brandt, Burns, Campbell, Castles, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Flynn, Fox, Gordon, Graybill, Green, Hanson, Hardcastle, Harris, Hawley, Hedrick, Hoffman, Holt, Holton, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kennedy, Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Masters, Meagher, Merritt, Miller, Morris, Moulton, Mulholland, Murphy, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Peterson, Plank, Plumer, Rice, Ruffcorn, Ryder, Sales, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Strange, Throssel, Tinsley, Waite, Walker, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—81.

Noes: None.

Absent and not voting: Bergstrom, Budas, Caplis, Fairgrieve, Higham, Joffray, Kinville, Larson (Cascade), Lemmon, Loble, Moriarity, Moss, McAfee, McCarty, Peat, Reed, Rupert, Stoddard, Troy, Wold. Total—20.

Castles and Johnson were excused after 5 o'clock.

At the request of Clarke, there being no objections, House reverted to Order of Business No. 4:

### REPORTS OF STANDING COMMITTEES

The following reports were received from Standing Committees:

Mr. Speaker: We, your Committee on Federal Relations, having had under consideration Senate Joint Resolution No. 6, introduced by Committee on Federal Relations, respectfully report as follows:

That Senate Joint Resolution No. 6 be amended on the third line from the top on the second page by changing the word "six" to read "three" and to insert after the word "Senate" on said line the further words "and three members of the House."

And that as so amended, we recommend that said Senate Joint Resolution No. 6 be concurred in.

KEELEY, Chairman.

On motion of Keeley, report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration Senate Bill No. 99, introduced by Griffin, respectfully report as follows:

That Senate Bill No. 99 be concurred in.

CLARKE, Chairman.

On motion of Clarke, report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 423, introduced by Stoddard, by request, respectfully report as follows:

That said House Bill No. 423 do pass.

CLARKE, Chairman.

On motion of Clarke, report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 418, introduced by Loble by request, respectfully report as follows: That said House Bill No. 418 be amended as follows:

Section 1, line 18, by inserting after the word "works" the words "park commissioners."

Section 1, by inserting between lines 5 and 6 on page 2 the following:

"The board of park commissioners existing under the provisions of Section 5161, Revised Codes, 1921, shall have general supervision over the establishment, creation, betterment and maintenance of all public parks, and shall have the power to adopt general plans and specifications for the establishment, creation, betterment and maintenance of such parks, and no moneys shall be expended by the department of parks, and public property for park purposes except in accordance with such general plans and specifications and with the approval of the board of park commissioners," and that as amended House Bill No. 418 do pass.

CLARKE, Chairman.

On motion of Clarke, report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 332, introduced by Andrus, respectfully report as follows: That House Bill No. 332 do not pass, but Substitute House Bill No. 332, introduced by Committee on Affairs of Cities and entitled: A Bill for an Act entitled: "An Act to amend Section 5226 of the Revised Codes of Montana of 1921, as amended by Section 2 of Chapter 135 of the Session Laws of 1923, relating to special improvements do pass.

CLARKE, Chairman.

On motion of Clarke, report adopted.

Mr. Speaker: We, a majority of your Committee on Affairs of Cities, having had under consideration House Bill No. 318, introduced by Holt and respectfully report as follows: That said House Bill No. 318 do not pass.

PEAT,  
CAMPBELL,  
MURPHY,  
CAPLIS,  
MULHOLLAND,  
DORAN,  
FLACHSENHAR,  
WALKER,  
CLARKE, Chairman.

Mr. Speaker: We, a minority of your Committee on Affairs of Cities, having had under consideration House Bill No. 318, introduced by Holt, respectfully report as follows: That said House Bill No. 318 do pass.

MASTERS,  
THROSSEL,  
DUNCAN,

Moved by Peat, duly seconded, that majority report be adopted.

Moved by Duncan, as substitute motion, duly seconded, that minority report be adopted.

Question arising on substitute motion, same carried.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 6, introduced by Duncan, respectfully report as follows: That Senate Bill No. 6 be concurred in.

BURNS, Chairman.

On motion of Burns, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 18, introduced by Demel, respectfully report as follows: That Senate Bill No. 18 be amended as follows:

By striking the word "or" in line 10 of Section 1, and inserting the word "and" in lieu thereof.

And as amended said bill be concurred in.

BURNS, Chairman.

On motion of Burns, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 93, introduced by Garber, respectfully report as follows: That Senate Bill No. 93 be concurred in.

BURNS, Chairman.

On motion of Burns, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 36, introduced by Hazelbaker, respectfully report as follows: That Senate Bill No. 36 be concurred in.

BURNS, Chairman.

On motion of Burns, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 20, introduced by Stewart, respectfully report as follows: That Senate Bill No. 20 be concurred in.

BURNS, Chairman.

On motion of Burns, report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 215, introduced by Meagher, respectfully report as follows:

That House Bill No. 215 do not pass.

TROY, Chairman.

On motion of Troy, report adopted.

The Speaker at this point appointed the following committee to arrange a program for Washington's birthday, Sunday, February 22, 1925.

HEDRICK of Fergus,  
EATON of Yellowstone,  
BESANCON of Missoula,  
WUERHNER of Cascade,  
TINSLEY of Madison.

### CONSIDERATION OF GENERAL ORDERS

Moved by Ruffcorn, duly seconded and carried, that House now resolve itself into Committee of the Whole for Consideration of General Orders, and that debate be limited to five minutes for proponents or authors of bills and to three minutes for others, and that there be no trading of time.

Mr. Nelson in the chair.

The Committee arose.

Mr. Speaker Pro Tem in the chair.

The Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration Bills on General Orders, respectfully report as follows:

That House Bill No. 394 do pass.

That House Bill No. 395 do pass.

That House Bill No. 396 be passed for time being.

That House Bill No. 403 do pass.

That House Bill No. 437 be amended as follows:

Section 1. By striking out lines 22 and 23 and inserting in lieu thereof the words: "lands advertised for sale in which no bids have been received within the thirty-day period may be sold by the Register of State Lands at private sale."



Section 1. By striking out all of line 37 after the word "plan" and inserting in lieu thereof the words "which is."

And that as amended, House Bill No. 437 do pass.

That House Bill No. 435 be amended as follows:

The title. By striking out in line 2 of the printed bill the number "3683;" in lines 13 and 14 of said title the words "regulating the classification, issuance and fees for fishing and hunting licenses."

Section 2. By inserting in line 61 after the word "same;" "upon consent of a majority of the property owners affected."

Section 9. By striking out in lines 5 and 6 of the printed bill, the words and figures: "Three thousand six hundred dollars (\$3,600.00)" and inserting in lieu thereof the words and figures: "Three Thousand Dollars (\$3,000.00)."

Section 14. By striking out the entire section, and renumber the remaining sections to conform herewith.

Section 15. By striking out all of such section and inserting in lieu thereof a new "Section 15."

Section 15. Section 3685. Fees and Powers Under Licenses. Said applicant, if a resident of the State of Montana and a citizen of the United States shall pay to the officer or person countersigning and issuing the license the sum of Two Dollars (\$2.00), as a license fee, and shall obtain a license of Class A, which shall entitle the holder to hunt, kill, capture, take and possess game, game birds and animals and to fish with hook and line as authorized by this Act.

All citizens of the United States who have lived in this State for at least six months, immediately preceding their application for a license, or officers and soldiers of the United States Army shall be deemed resident citizens for the purposes of this section, as well as all officers of the Forest Service and of the Biological Survey of the United States Department of Agriculture.

Said applicant, if a non-resident of the State, or a resident for less than six (6) months, immediately preceding his application for a license, and a citizen of the United States, shall pay to the officer countersigning and issuing the license, the sum of Thirty Dollars (\$30.00), as a license fee and shall obtain a license of Class B, which shall entitle him to hunt, kill, capture, take and possess game, game birds and animals, and to fish with hook and line as authorized by this Act; and such non-resident, on like application and on the payment of the sum of Ten Dollars (\$10.00), as a license fee, and shall obtain a Class C license, which shall entitle him to hunt and kill game birds and small game and to fish with hook and line as authorized by this Act; and such non-resident on like application and on the payment of the sum of Three Dollars and Fifty Cents (\$3.50), as a license fee, and shall obtain a Class D license, which shall entitle the holder to fish with hook and line as authorized by this Act.

Said applicant, if an alien, resident or non-resident, shall pay to the officer countersigning and issuing the license the sum of Fifty Dollars (\$50.00), as a license fee, and shall obtain a Class E license, which shall authorize him to hunt, capture, kill, take and possess game, game birds and game animals, and to fish with hook and line as authorized by this Act; such alien, on the payment of the sum of Ten Dollars (\$10.00), as a license fee, and shall obtain a Class F license, which shall entitle him to fish with hook and line as authorized by this Act; provided, however, that any person in possession of first citizenship papers shall not be considered a resident of the State of Montana, for the purposes of this Act. All money collected for licenses sold, shall be remitted by the State Game Warden to the State Treasurer to be credited to the Fish and Game Fund.

The applicant for a Class G license, or trappers license, must be the owner and in possession of a Class A license, and upon the payment of the sum of Ten Dollars (\$10.00), to the officer to whom the application for a Class G license is made shall receive and obtain a Class G or trappers

license which shall authorize the holder thereof to trap fur-bearing animals within the State at such times and such manner as may be lawful so to do by the laws of this State, and the regulations of the Fish and Game Commission, and at such places as may be designated in said license.

Any person violating any of the provisions hereof shall be guilty of a misdemeanor and upon conviction thereof shall be punished accordingly.

Twenty-five cents (.25c) out of every fishing and hunting license fee collected shall be set aside as a fund to be used by the Fish and Game Commission for the destruction of predatory animals. The sum of Seven Thousand Five Hundred Dollars (\$7,500.00) of said fund shall be transferred therefrom on or before January first of each year to the Bounty Fund of the State, to be used to pay bounty on predatory animals, as provided by law. Said sum of Seven Thousand Five Hundred Dollars (\$7,500.00) shall be matched with a like sum of the said Bounty Fund money derived from the tax on live stock now provided by law, and said total sum of Fifteen Thousand Dollars (\$15,000.00) or such part thereof as may be necessary, shall be expended for payment of bounties on predatory animals. In the event that there shall be any unexpended portion of said Fifteen Thousand Dollars (\$15,000.00) at the close of any bounty paying season of any year, fifty per cent of such unexpended balance shall be re-transferred to the fund for the destruction of predatory animals created herein. Nothing herein contained shall be so construed as to prevent the Livestock Commission from expending from the Bounty Fund any part thereof in excess of Fifteen Thousand Dollars (\$15,000.00), which may be necessary for the purpose of paying bounties."

Section 15. By adding at the end thereof as amended, the following: "Provided that any person over fourteen and not over eighteen years of age, the holder of a Class A license, may trap fur-bearing animals within the State at such times and in such manner as may be permitted by law or regulation."

Section 17. By striking out in line 44 the figure "10" and inserting in lieu thereof the figure "12."

Section 23. By inserting in line 7 after the word "mink" the word "muskrat," and by striking from its present position all that portion following the words "hereinafter provided" in line 16, and re-inserting same after the word "provided" in line 9.

Section 27. By inserting in line 8 after the word "doing" the words "with malicious intent."

And that as so amended, House Bill No. 435 do pass.

BEN NELSON, Chairman.

On motion of Nelson, report adopted.

The Committee on Engrossing reported as follows:

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed:

House Bills No. 209, No. 373, No. 317, No. 198, No. 305, House Resolution No. 2, House Bills No. 368, No. 338, No. 339, No. 283, No. 312, No. 190, No. 206, No. 308, No. 248, No. 383, No. 324, No. 382, No. 144.

BERRYMAN, Chairman.

The Committee on Printing reported as follows:

Mr. Speaker: We, your Committee on Printing, beg leave to report the following bills correctly printed:

House Bills No. 314, No. 362, No. 386, No. 443, No. 335, No. 99, Substitute House Bill No. 109.

FRED W. ZEH, Chairman.

Moved by Ruffcorn, duly seconded and carried, that House recess until 7:30 P. M.

## EVENING SESSION

House resumed at 7:30 P. M.

Mr. Speaker in the chair.

## CONSIDERATION OF GENERAL ORDERS

Moved by Ruffcorn, duly seconded and carried, that House now resolve itself into Committee of the Whole for Consideration of General Orders and that debate be limited to five minutes for proponents or authors of bills and to three minutes for all others with no trading of time.

Mr. Smith of Lewis and Clark in the chair.

The committee arose.

Mr. Speaker in the chair.

The Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration bills on General Orders, respectfully report as follows:

That House Bill No. 396 be passed for time being.

That House Bill No. 369 be re-referred to Committee on Railroads and Transportation.

That House Joint resolution No. 9 do pass.

That House Bill No. 313 be amended as follows:

The title. By striking out in line 4, the following words, "to keep and display a list," and inserting in lieu thereof the words "shall file with the County Clerk and Recorder."

The title. By striking out in line 5, the word "tax" and inserting in lieu thereof the word "fee."

Section 1. By adding at the beginning of line 3, "Section 11053;" by striking out in line 32 the words "general school fund" and inserting in lieu thereof the words "common school interest and income fund."

And that as amended House Bill No. 313 do pass.

SMITH of Lewis and Clark, Chairman.

Moved by Smith of Lewis and Clark, duly seconded, that report be adopted.

Question arising on the motion, roll call was demanded by Loble.

Call of the House, seconded by fifteen members, was demanded.

Moved by Davis, duly seconded, that further action on call of the House be dispensed with.

Question arising on motion to dispense with call of the House, roll call having been demanded by Loble, motion carried by the following vote:

Ayes: Ainsworth, Andrus, Berryman, Brandt, Budas, Burns, Campbell, Clarke, Davis, Dellwo, Duncan, Eaton, Fairgrieve, Fitzgarrald, Flachsenhar, Fletcher, Flynn, Gordon, Green, Hanson, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Johnson (Fergus), Johnson (Valley), Keeley, Kennedy, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Merritt, Morris, Moss, Moulton, McAfee, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Reed, Rice, Ruffcorn, Rupert, Ryder, Sales, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Strange, Throssel, Troy, Waite, Walker, Walton, Wold, Wuerthner, Zeh. Total—65.

Noes: Akofer, Anderson, Beadle, Bergstrom, Besancon, Caplis, Cusick, Moran, Fitzgerald, Fox, Graybill, Hardcastle, Joffray, Kelly, Kinville, Lincoln, Loble, Meagher, Miller, Moriarity, Mulholland, Murphy, McGrath, Nagle, Plank, Plumer, Shields, Stoddard, Tinsley. Total—29.

Absent and not voting: Castles, Donaldson, Lemmon, Masters, McCarty, White. Total—6.

Question now arising on the original motion that report of the Committee of the Whole be adopted, roll call having been demanded, same carried by the following vote:



Ayes: Ainsworth, Akofer, Andrus, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Clarke, Davis, Dellwo, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Flachsenhar, Fletcher, Flynn, Fox, Graybill, Green, Hanson, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Joffray, Johnson (Fergus), Keeley, Kelly, Kennedy, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Merritt, Miller, Moriarity, Morris, Moss, Moulton, McAfee, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Reed, Rice, Ruffcorn, Rupert, Ryder, Sales, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Strange, Throssel, Tinsley, Waite, Walton, Wold, Wuethner, Zeh. Total—77.

Noes: Beadle, Caplis, Fitzgerald, Hardcastle, Kinville, Meagher, Mulholland, Murphy, Plumer, Stoddard. Total—10.

Absent and not voting: Castles, Donaldson, Gordon, Johnson (Valley), Lemmon, Loble, Masters, McCarty, Troy, Walker, White. Total—11.

Present and not voting: Anderson, Cusick. Total—2.

Moved by Ruffcorn, duly seconded and carried, that consideration of House Bill No. 330 under Order of Business No. 10 be deferred until House Bill No. 331 has been considered.

### CONSIDERATION OF GENERAL ORDERS

Moved by Ruffcorn, duly seconded and carried, that House now resolve itself into Committee of the Whole for Consideration of General Orders and that debate be limited to ten minutes for proponents or authors of bills and to three minutes to others, with no trading of time.

Mr. Smith of Lewis and Clark in the chair.

The committee arose.

Mr. Speaker in the chair.

The Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration Bills on General Orders, respectfully report as follows:

That House Bill No. 331 be amended as follows:

Section 1. By striking out lines 24 to 30 inclusive, and inserting in lieu thereof the words "the registrar of motor vehicles shall first deduct from all fees paid under the provisions of this Act, the actual cost of making and mailing all licenses, certificates, license plates, and identification marks, and shall transmit one-half of the remainder to the counties respectively from which the registration fees came; and shall transmit and divide the remaining one-half equally among the several counties of the State, all monies so transmitted to the counties to be deposited in the general road funds thereof for the maintenance or construction of highways."

And that as amended, House Bill No. 331 do pass.

House Bill No. 330. Arise and report progress.

SMITH of Lewis and Clark, Chairman.

On motion of Smith of Lewis and Clark, report adopted.

Moved by Ruffcorn, duly seconded and carried, that House adjourn until 9:30 A. M., Friday, February 20, 1925.

R. C. BRICKER, Speaker.

Attest: H. J. FAUST, Chief Clerk.

### FORTY-SEVENTH DAY

House of Representatives,  
Helena, Montana, February, 20, 1925.

House met pursuant to adjournment at 9:30 A. M.

Mr. Speaker in the chair.

Prayer by the Chaplain.

On roll call all present except: Burns, Morris, Dellwo, excused until noon; Loble, excused for the day; Castles, excused until Monday; Lemon, Hoffman, excused on account of sickness.

The Committee on Journal reported as follows:

Mr. Speaker: We, your Committee on Journal, have this day examined the Journal for the 46th Legislative day and found the same correct.

PEARL I. SMITH, Chairman.

On motion of Smith of Beaverhead, report adopted.

### REPORTS OF STANDING COMMITTEES

The following reports were received from Standing Committees:

Mr. Speaker: We, your Committee on Banks and Banking, having had under consideration Senate Bill No. 105, introduced by McCone and Oliver, respectfully report as follows:

That Senate Bill No. 105 be concurred in.

JOHNSON of Fergus, Chairman.

On motion of Johnson of Fergus, report adopted.

### INTRODUCTION OF BILLS AND MEMORIALS

The following bills were introduced, read first and second times, by title only, and referred to committee as follows:

Senate Bill No. 28, by Brownlee: A Bill for an Act entitled: "An Act to validate and to cure all irregularities connected with certificates of tax sales heretofore issued to any county or its successors and assigns by reason of delinquent tax sales, and not cured or validated by previous validating Acts." Referred to Committee on Revenue and Taxation.

Senate Bill No. 90, by Pomeroy: A Bill for an Act entitled: "An Act to amend Section 7073 of the Revised Codes of Montana of 1921, relating to the succession to and distribution of property." Referred to Committee on Judiciary.

Senate Bill No. 119, by Pauline: A Bill for an Act entitled: "An Act to require the State Fish and Game Commission to make bi-monthly reports of all receipts and disbursements to the Governor." Referred to Committee on Fish and Game.

Senate Bill No. 134, by Committee on Finance and Claims: A Bill for an Act entitled: "An Act to amend Section 4622, Revised Codes, 1921, as amended by Chapter 21, Session Laws 1923, relating to county bonds." Referred to Committee on Townships and Counties.

Senate Joint Resolution No. 8, by Griffin: "A Joint Resolution relating to reimbursing the Land Grant Income and Investment Funds for moneys unlawfully taken therefrom for the expenses of the State Land Office, with interest for the years 1894 to 1924, inclusive, and to return from the General Fund interest earned on the Permanent School Fund for the years 1907 to 1924, inclusive, and to provide for the refunding and payment thereof." Referred to Committee on Appropriations.

The following bills, by Appropriations Committee, were introduced at this time:

House Bill No. 447, House Bill No. 448.

### CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

The following messages were received from the Governor:

Helena, Montana, February 19, 1925.

The Speaker, House of Representatives,  
Helena, Montana.

I have the honor to advise you that I have this day approved the following measures:

H. B. 34—Relative to tax on personal property.

H. B. 83—Relative to authentication of copies of appeals to the Supreme Court.

H. B. 107—Providing for monthly maintenance allowance for persons receiving vocational training.

H. B. 172—Relating to county officers not acting as deputy for other officers of the same county.

H. B. 179—Relating to the cure of defects in judicial sales of real property.

H. B. 186—Providing for inclusion of coal mines under provisions relative to mechanics' liens.

H. B. 202—Relating to the collection of personal property taxes.

H. B. 214—Relating to meetings of State Textbook Commission.

H. J. R. 4—Relative to distribution of forest reserve receipts.

J. E. ERICKSON, Governor.

Helena, Montana, February 19, 1925.

The Speaker, House of Representatives,  
Helena, Montana.

I have the honor to advise you that I have this day approved House Memorial No. 4: "A Memorial to the Senate of the United States urging the immediate enactment of pending legislation to provide adequate compensation for postal employees."

J. E. ERICKSON, Governor.

Moved by Larsen, duly seconded and carried, that messages from Senate be considered read at length and the Journal so show.

The following messages were received from the Senate:

Helena, Montana, February 19, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Banks and Banking, to whom was referred H. B. No. 218, by Besancon, report and recommend that same be not concurred in. Report adopted, and bill is herewith returned to the House.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 19, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times and passed, title agreed to, and are herewith transmitted to the House for concurrence:

S. B. No. 28, by Brownlee.

S. J. R. No. 8, by Griffin.

S. B. No. 90, by Pomeroy.

S. B. No. 119, by Pauline.

S. B. No. 134, by Committee on Finance and Claims.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 19, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Towns and Counties report that H. B. No. 260 be amended as follows:

By adding after the word "forthwith" in Section 2, line 38, the following: "notify in writing all property holders within the boundaries of the territory proposed to be embraced, and," and, as amended, it be concurred in.

Report adopted.

Respectfully,

J. F. CONE, Secretary of Senate.



Helena, Montana, February 19, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Standing Committees have this day made the following reports:

Committee on Taxation report that H. B. No. 239 be concurred in; that H. B. No. 240 be concurred in; that H. B. No. 241 be concurred in.

Committee on Judiciary report that H. B. No. 252 be concurred in.

Committee on Banks and Banking report that H. B. No. 218 be not concurred in.

Reports adopted.

Respectfully,  
J. F. CONE, Secretary of Senate.

Helena, Montana, February 19, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee of the Whole, having had under consideration business on General File, report as follows:

That S. B. No. 57 be amended and, as amended, it do pass.

That S. B. No. 106 do not pass.

That S. B. No. 139 be amended, and, as amended, do pass.

That S. B. No. 150 do pass.

That S. J. R. No. 9 do pass.

That consideration of S. B. No. 58 be passed for the day.

That consideration of S. B. No. 83 be passed for the day.

That H. B. No. 95 be concurred in.

That consideration of H. B. No. 118 be passed for the day.

That consideration of H. B. No. 192 be passed for the day.

That H. B. No. 211 be concurred in.

That H. B. No. 119 be concurred in.

That consideration of H. B. No. 192 be passed for the day.

That H. B. No. 220 be concurred in.

That H. B. No. 247 be amended, and, as amended, it be concurred in.

That consideration of H. B. No. 243 be passed for the day.

That consideration of H. B. No. 56 be passed for the day.

Report adopted.

Respectfully,  
J. F. CONE, Secretary of Senate.

Helena, Montana, February 19, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read first and second times and referred to the Standing Committees:

House Bill No. 41—Judiciary Committee.

House Bill No. 47—Judiciary Committee.

Sub. for House Bill No. 90—Compensation.

House Bill No. 159—Taxation.

House Bill No. 175—Counties and Towns.

House Bill No. 189—Roads and Highways.

House Bill No. 231—Taxation.

House Bill No. 237—Finance and Claims.

House Bill No. 253—Irrigation.

House Bill No. 272—Finance and Claims.

House Bill No. 275—Counties and Towns.

House Bill No. 78—Judiciary.

House Bill No. 134—Public Morals.  
 Sub. for House Bill No. 184—Revenue and Taxation.  
 House Bill No. 225—Banks and Banking.  
 House Bill No. 258—Counties and Divisions.  
 House Bill No. 267—Education.  
 House Bill No. 269—Elections and Privileges.  
 House Bill No. 276—Banks and Banking.  
 House Bill No. 287—Live Stock and Grazing.  
 House Bill No. 288—Counties and Towns.  
 House Bill No. 294—Taxation.  
 House Bill No. 297—Taxation.  
 House Bill No. 301—Judiciary.  
 House Bill No. 15—Roads and Highways.  
 House Bill No. 52—Public Morals.  
 House Bill No. 286—Counties and Towns.  
 House Bill No. 289—Live Stock and Grazing.  
 House Bill No. 291—Finance and Claims.  
 House Bill No. 300—Horticulture.  
 House Bill No. 316—Judiciary.  
 House Bill No. 322—Counties and Towns.  
 House Bill No. 328—Military Affairs.  
 House Bill No. 303—Counties and Towns.  
 H. J. R. No. 7—Fairs and Expositions.  
 H. J. M. No. 4—Education.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 19, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Irrigation and Water Rights report that House Bill No. 145 be amended as follows:

Strike out the committee amendments adding after the words "district" in line 21, page 2, the following: "and authorize the commissioners to settle the business of the district on the basis of the final report of said commissioners or on the area basis as confirmed by this court, said commissioners to render their services for same without pay," and, as so amended, it be concurred in.

Report adopted.

Respectfully,

J. F. CONE, Secretary of Senate.

### THIRD READING OF SENATE BILLS

Moved by Ruffcorn, duly seconded and carried, that third reading of Senate bills be passed for the present.

### THIRD READING OF HOUSE BILLS

Senate amendments to House Bill No. 112, by Loble, were concurred in by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Bergstrom, Berryman, Brandt, Budas, Campbell, Clarke, Donaldson, Doran, Duncan, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Flynn, Gordon, Graybill, Green, Hanson, Hardcastle, Harris, Hawley, Higham, Holt, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Loble, Masters, Meagher, Merritt, Miller, Moriarity, Moulton, Murphy, McAfee

McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Reed, Rice, Ruffcorn, Rupert, Ryder, Sales, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Tinsley, Troy, Waite, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—80.

Noes: None.

Absent and not voting: Beadle, Besancon, Burns, Caplis, Castles, Cusick, Davis, Dellwo, Eaton, Fox, Hedrick, Hoffman, Kennedy, Lemmon, Morris, Moss, Mulholland, McCarty, Walker, Wold. Total—21.

House Bill No. 340, by Committee on Dairies and Dairying, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Bergstrom, Berryman, Besancon, Brandt, Budas, Campbell, Clarke, Cusick, Davis, Donaldson, Duncan, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Flynn, Fox, Gordon, Green, Hardcastle, Harris, Hawley, Hedrick, Higham, Holt, Joffray, Johnson (Fergus), Johnson (Valley), Kelly, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Loble, Masters, Meagher, Miller, Moriarity, Moulton, Murphy, McAfee, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Plank, Plumer, Rice, Ruffcorn, Rupert, Ryder, Sales, Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Tinsley, Waite, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—73.

Noes: Graybill, Keeley, Shields, Smith (Lewis and Clark). Total—4.

Absent and not voting: Beadle, Burns, Caplis, Castles, Dellwo, Doran, Eaton, Fletcher, Hanson, Hoffman, Holton, Lemmon, Merritt, Morris, Moss, Mulholland, McCarty, Peat, Peterson, Reed, Schoening, Troy, Walker, Wold. Total—24.

House Bill No. 341, by Committee on Dairies and Dairying, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Bergstrom, Berryman, Besancon, Brandt, Budas, Clarke, Cusick, Donaldson, Doran, Duncan, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Flynn, Fox, Gordon, Graybill, Green, Hanson, Hardcastle, Harris, Hawley, Higham, Holt, Holton, Joffray, Johnson (Fergus), Keeley, Kelly, Kennedy, Kinville, Larson (Cascade), Larson (Sheridan), Leavens, Lincoln, Loble, Masters, Merritt, Miller, Moriarity, Moss, Moulton, Murphy, McAfee, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Plank, Rice, Ruffcorn, Ryder, Sales, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Tinsley, Waite, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—75.

Noes: Larsen (Sheridan), Plumer. Total—2.

Absent and not voting: Beadle, Burns, Campbell, Caplis, Castles, Davis, Dellwo, Eaton, Hedrick, Hoffman, Johnson (Valley), Lemmon, Meagher, Morris, Mulholland, McCarty, Peat, Peterson, Reed, Rupert, Schoening, Troy, Walker, Wold. Total—24.

House Bill No. 342, by Committee on Dairies and Dairying, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Bergstrom, Berryman, Besancon, Brandt, Budas, Campbell, Clarke, Cusick, Donaldson, Doran, Duncan, Fairgrieve, Fitzgarrald, Flachsenhar, Fletcher, Flynn, Fox, Gordon, Green, Hanson, Hardcastle, Harris, Hawley, Higham, Holt, Holton, Joffray, Johnson (Valley), Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Loble, Masters, Meagher, Merritt, Miller, Moriarity, Moss, Moulton, Mulholland, Murphy, McAfee, McGrath, Nagle, Nelson, Nelstead, Patterson, Plank, Plumer, Rice, Ryder, Shields, Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Tinsley, Waite, Walton, White, Wuerthner, Mr. Speaker. Total—70.



Noes: Keeley, Parkin, Sales, Smith (Lewis and Clark). Total—4.

Absent and not voting: Beadle, Burns, Caplis, Castles, Davis, Dellwo, Eaton, Fitzgerald, Graybill, Hedrick, Hoffman, Johnson (Fergus), Kelly, Kennedy, Lemmon, Morris, McCarty, Peat, Peterson, Reed, Ruffcorn, Rupert, Schoening, Troy, Walker, Wold, Zeh. Total—27.

House Bill No. 343, by Committee on Dairies and Dairying, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Bergstrom, Besancon, Brandt, Campbell, Clarke, Cusick, Donaldson, Doran, Duncan, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Fox, Gordon, Graybill, Green, Harcastle, Harris, Hawley, Higham, Holt, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Masters, Meagher, Merritt, Miller, Moriarity, Moulton, Mulholland, Murphy, McAfee, McGrath, Nelson, Nelstead, Parkin, Patterson, Peterson, Plank, Plumer, Rice, Ruffcorn, Ryder, Sales, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Tinsley, Waite, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—74.

Noes: Berryman. Total—1.

Absent and not voting: Beadle, Budas, Burns, Caplis, Castles, Davis, Dellwo, Eaton, Flynn, Hanson, Hedrick, Hoffman, Kelly, Lemmon, Loble, Morris, Moss, McCarty, Nagle, Peat, Reed, Rupert, Schoening, Troy, Walker, Wold. Total—26.

House Bill No. 344, by Committee on Dairies and Dairying, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Campbell, Cusick, Donaldson, Duncan, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Fox, Gordon, Graybill, Green, Harris, Hawley, Higham, Holt, Joffray, Kelly, Kennedy, Kinville, Larson (Cascade), Johnson (Fergus), Larsen (Sheridan), Leavens, Lincoln, Masters, Merritt, Moriarity, Moulton, Mulholland, Murphy, McAfee, McGrath, Nelson, Nelstead, Parkin, Patterson, Peterson, Plank, Rice, Rupert, Ryder, Shields, Smith (Beaverhead), Steeves, Strange, Throssel, Tinsley, Waite, Walton, Wuerthner, Zeh, Clarke, Mr. Speaker. Total—64.

Noes: Harcastle, Keeley, Larson (Sheridan), Miller, Plumer, Stoddard, White. Total—7.

Absent and not voting: Budas, Burns, Caplis, Castles, Davis, Dellwo, Doran, Eaton, Flynn, Hanson, Hedrick, Hoffman, Holton, Johnson (Valley), Lemmon, Loble, Meagher, Morris, Moss, McCarty, Nagle, Peat, Reed, Ruffcorn, Sales, Schoening, Smith (Lewis and Clark), Troy, Walker, Wold. Total—30.

House Bill No. 361, by Robert Larson, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Bergstrom, Berryman, Besancon, Burns, Campbell, Clarke, Cusick, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Flachsenhar, Fletcher, Fox, Gordon, Graybill, Green, Hanson, Harcastle, Harris, Hawley, Higham, Holt, Holton, Johnson (Fergus), Keeley, Kelly, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Masters, Merritt, Miller, Moriarity, Moulton, Mulholland, Murphy, McAfee, McGrath, Nelson, Nelstead, Parkin, Patterson, Peterson, Plank, Rice, Rupert, Ryder, Sales, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Throssel, Tinsley, Waite, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—69.

Noes: Plumer. Total—1.

Absent and not voting: Andrus, Beadle, Brandt, Budas, Caplis, Castles, Davis, Dellwo, Fitzgerald, Flynn, Hedrick, Hoffman, Joffray, Johnson (Valley), Lemmon, Loble, Meagher, Morris, Moss, McCarty, Nagle, Peat, Reed,

Ruffcorn, Schoening, Shields, Stoddard, Strange, Troy, Walker, Wold.  
Total—31.

House Bill No. 144, by Ainsworth, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Campbell, Clarke, Cusick, Davis, Donaldson, Doran, Duncan, Fairgrieve, Fitzgarrauld, Flachsenhar, Fletcher, Fox, Graybill, Green, Hardcastle, Harris, Hawley, Hedrick, Higham, Holt, Holton, Johnson (Fergus), Kennedy, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Lincoln, Masters, Merritt, Moriarity, Moulton, Mulholland, Murphy, McGrath, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Rice, Rupert, Ryder, Sales, Steeves, Throssel, Waite, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—58.

Noes: None.

Absent and not voting: Ainsworth, Brandt, Budas, Burns, Caplis, Castles, Dellwo, Eaton, Fitzgerald, Flynn, Gordon, Hanson, Hoffman, Joffray, Johnson (Valley), Keeley, Kelly, Kinville, Leavens, Lemmon, Loble, Meagher, Miller, Morris, Moss, McAfee, McCarty, Nagle, Nelson, Nelstead, Reed, Ruffcorn, Schoening, Shields, Smith (Beaverhead), Smith (Lewis and Clark), Stoddard, Strange, Tinsley, Troy, Walker, Wold. Total—43.

House Bill No. 206, by Ruffcorn and Miller, having been read three several times, failed to pass by the following vote:

Ayes: Anderson, Andrus, Beadle, Cusick, Davis, Donaldson, Eaton, Hedrick, Johnson (Fergus), Kelly, Kinville, Larsen (Sheridan), Larson (Sheridan), Lincoln, Miller, Moriarity, Moulton, Mulholland, Murphy, McAfee, McGrath, Parkin, Peterson, Plank, Plumer, Sales, Stoddard, Tinsley, Walton. Total—29.

Noes: Ainsworth, Akofer, Bergstrom, Berryman, Besancon, Brandt, Budas, Campbell, Clarke, Fairgrieve, Fitzgarrauld, Flachsenhar, Fletcher, Gordon, Graybill, Green, Hanson, Hardcastle, Harris, Hawley, Higham, Holt, Holton, Keeley, Larson (Cascade), Leavens, Masters, Merritt, Nelson, Nelstead, Patterson, Peat, Reed, Rice, Rupert, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Doran, Strange, Throssel, Waite, White, Zeh, Mr. Speaker. Total—45.

Absent and not voting: Burns, Caplis, Castles, Dellwo, Duncan, Fitzgerald, Fox, Flynn, Hoffman Joffray, Johnson (Valley), Kennedy, Lemmon, Loble, Meagher, Morris, Moss, McCarty, Nagle, Ruffcorn, Ryder, Schoening, Shields, Troy, Walker, Wold, Wuerthner. Total—27.

House Bill No. 209, by Committee on Deevlopment and Publicity, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Campbell, Clarke, Cusick, Donaldson, Doran, Duncan, Fairgrieve, Fitzgarrauld, Flachsenhar, Fletcher, Fox, Gordon, Graybill, Green, Hardcastle, Harris, Hawley, Higham, Holt, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Kelly, Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Masters, Merritt, Miller, Moriarity, Mulholland, Murphy, McGrath, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Rice, Rupert, Ryder, Sales, Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Tinsley, Waite, Walker, Walton, White, Zeh, Mr. Speaker. Total—70.

Noes: McAfee. Total—1.

Absent and not voting: Burns, Caplis, Castles, Davis, Dellwo, Eaton, Fitzgerald, Flynn, Hanson, Hedrick, Hoffman, Keeley, Kennedy, Kinville, Larson (Cascade), Lemmon, Loble, Meagher, Morris, Moss, Moulton, McCarty, Nagle, Reed, Ruffcorn, Schoening, Shields, Smith (Lewis and Clark), Troy, Wold, Wuerthner. Total—30.



Substitute House Bill No. 248, by Committee on State Lands, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Besancon, Brandt, Budas, Campbell, Clarke, Cusick, Davis, Donaldson, Doran, Duncan, Fairgrieve, Fitzgarrald, Flachsenhar, Fletcher, Fox, Gordon, Graybill, Green, Hardcastle, Harris, Hawley, Higham, Holt, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Kelly, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Masters, Merritt, Miller, Moulton, Mulholland, Murphy, McAfee, McGrath, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Reed, Rice, Ruffcorn, Rupert, Ryder, Sales, Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Tinsley, Troy, Waite, Walker, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—76.

Noes: None.

Absent and not voting: Berryman, Burns, Caplis, Castles, Dellwo, Eaton, Fitzgerald, Flynn, Hanson, Hedrick, Hoffman, Keeley, Kennedy, Lemmon, Loble, Meagher, Moriarity, Morris, Moss, McCarty, Nagle, Schoening, Shields, Smith (Lewis and Clark), Wold. Total—25.

House Bill No. 283, by Lincoln, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Campbell, Clarke, Cusick, Davis, Donaldson, Doran, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Gordon, Graybill, Green, Hardcastle, Harris, Hawley, Higham, Holt, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Kelly, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Masters, Meagher, Miller, Moriarity, Moulton, Mulholland, Murphy, McAfee, McGrath, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plumer, Reed, Rice, Rupert, Ryder, Sales, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Tinsley, Waite, Walker, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—75.

Noes: None.

Absent and not voting: Andrus, Burns, Caplis, Castles, Dellwo, Duncan, Eaton, Flynn, Fox, Hanson, Hedrick, Hoffman, Keeley, Lemmon, Loble, Merritt, Morris, Moss, McCarty, Nagle, Plank, Ruffcorn, Schoening, Shields, Troy, Wold. Total—26.

House Resolution No. 2, by Waite and Holton, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Bergstrom, Berryman, Besancon, Brandt, Budas, Campbell, Clarke, Cusick, Donaldson, Doran, Duncan, Fairgrieve, Fitzgerald, Flachsenhar, Fletcher, Gordon, Graybill, Green, Hanson, Hardcastle, Harris, Hedrick, Holton, Johnson (Fergus), Johnson (Valley), Kelly, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Masters, Meagher, Merritt, Miller, Moriarity, Moulton, Mulholland, Murphy, McAfee, McGrath, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Reed, Rice, Rupert, Ryder, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Throssel, Tinsley, Waite, Walker, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—71.

Noes: Plumer. Total—1.

Absent and not voting: Beadle, Burns, Caplis, Castles, Davis, Dellwo, Eaton, Fitzgarrald, Flynn, Fox, Hawley, Higham, Hoffman, Holt, Joffray, Keeley, Lemmon, Loble, Morris, Moss, McCarty, Nagle, Ruffcorn, Sales, Schoening, Shields, Strange, Troy, Wold. Total—29.

House Bill No. 198, by Hedrick, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Bergstrom, Besancon, Campbell, Clarke, Davis, Donaldson, Doran, Duncan, Fitzgarrald, Fitzgerald,



Flachsenhar, Fletcher, Gordon, Graybill, Green, Hanson, Hawley, Holton, Johnson (Fergus), Johnson (Valley), Kelly, Kennedy, Kinville, Larsen (Sheridan), Leavens, Lincoln, Meagher, Miller, Moriarity, Moulton, Mulholland, Murphy, McAfee, McGrath, Nelson, Nelstead, Parkin, Patterson, Peat, Plumer, Reed, Rice, Rupert, Ryder, Smith (Beaverhead), Stoddard, Throssel, Tinsley, Troy, Waite, Walker, Walton, White, Wuerthner, Zeh, Larson (Cascade), Mr. Speaker. Total—61.

Noes: Budas, Fairgrieve, Higham, Masters, Merritt, Plank, Steeves. Total—7.

Absent and not voting: Beadle, Berryman, Brandt, Burns, Caplis, Castles, Cusick, Dellwo, Eaton, Flynn, Fox, Hardcastle, Harris, Hedrick, Hoffman, Holt, Joffray, Keeley, Larson (Sheridan), Lemmon, Loble, Morris, Moss, McCarty, Nagle, Peterson, Ruffcorn, Sales, Schoening, Shields, Smith (Lewis and Clark), Strange, Wold. Total—33.

House Bill No. 305, by Moss, etc., having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Andrus, Bergstrom, Berryman, Brandt, Campbell, Clarke, Davis, Donaldson, Doran, Duncan, Fairgrieve, Fitzgarrald, Flachsenhar, Fletcher, Gordon, Graybill, Green, Hanson, Harris, Hawley, Holt, Johnson (Fergus), Kennedy, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Masters, Merritt, Miller, Moriarity, Murphy, McAfee, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Reed, Rice, Rupert, Ryder, Sales, Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Tinsley, Troy, Waite, Walker, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—62.

Noes: Anderson, Besancon, Budas, Cusick, Fitzgerald, Higham, Johnson (Valley), Kelly, Lincoln, Moulton, Plank, Plumer. Total—12.

Absent and not voting: Beadle, Burns, Caplis, Castles, Dellwo, Eaton, Flynn, Fox, Hardcastle, Hedrick, Hoffman, Holton, Joffray, Keeley, Kinville, Lemmon, Loble, Meagher, Morris, Moss, Mulholland, McCarty, Ruffcorn, Schoening, Shields, Smith (Lewis and Clark), Wold. Total—27.

House Bill No. 308, by Loble, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Andrus, Beadle, Besancon, Brandt, Budas, Campbell, Clarke, Cusick, Davis, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Gordon, Graybill, Green, Harris, Hawley, Hedrick, Higham, Holton, Johnson (Fergus), Kelly, Kennedy, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Masters, Merritt, Miller, Moriarity, Moss, Moulton, Mulholland, Murphy, McAfee, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Reed, Rice, Rupert, Ryder, Sales, Smith (Lewis and Clark), Smith (Beaverhead), Stoddard, Strange, Throssel, Tinsley, Troy, Waite, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—70.

Noes: None.

Absent and not voting: Anderson, Bergstrom, Berryman, Burns, Caplis, Castles, Dellwo, Flynn, Fox, Hanson, Hardcastle, Hoffman, Holt, Joffray, Johnson (Valley), Keeley, Kinville, Lemmon, Loble, Meagher, Morris, McCarty, McGrath, Nagle, Plumer, Ruffcorn, Schoening, Shields, Steeves, Walker, Wold. Total—31.

House Bill No. 312, by Walton, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Bergstrom, Besancon, Brandt, Budas, Campbell, Clarke, Cusick, Doran, Duncan, Eaton, Donaldson, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Gordon, Graybill, Green, Harris, Hawley, Higham, Holt, Holton, Johnson (Fergus), Johnson (Valley), Kennedy, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Masters, Meagher, Miller, Moriarity, Moss, Moulton, Mulholland, McGrath, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Reed, Rice, Rupert, Ryder, Sales, Smith (Lewis

and Clark), Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Waite, Walker, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—70.

Noes: None.

Absent and not voting: Beadle, Berryman, Burns, Caplis, Castles, Davis, Dellwo, Flynn, Fox, Hanson, Hardcastle, Hedrick, Hoffman, Joffray, Keeley, Kelly, Kinville, Lemmon, Loble, Merritt, Morris, Murphy, McAfee, McCarty, Nagle, Ruffcorn, Schoening, Shields, Tinsley, Troy, Wold. Total—31.

House Bill No. 317, by Holt, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Bergstrom, Berryman, Besancon, Brandt, Budas, Campbell, Clarke, Cusick, Donaldson, Doran, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Gordon, Graybill, Green, Harris, Hawley, Higham, Holton, Johnson (Fergus), Johnson (Valley), Kennedy, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Meagher, Merritt, Miller, Moriarity, Moss, Moulton, Mulholland, Murphy, McGrath, Nelson, Nelstead, Parkin, Peterson, Plank, Plumer, Reed, Rupert, Ryder, Sales, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Troy, Waite, Walker, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—67.

Noes: None.

Absent and not voting: Beadle, Burns, Caplis, Castles, Davis, Dellwo, Duncan, Eaton, Fairgrieve, Flynn, Fox, Hanson, Hardcastle, Hedrick, Hoffman, Holt, Joffray, Keeley, Kelly, Kinville, Lemmon, Loble, Masters, Morris, McAfee, McCarty, Nagle, Patterson, Peat, Rice, Ruffcorn, Schoening, Tinsley, Wold. Total—34.

House Bill No. 324, by Donaldson, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Bergstrom, Besancon, Brandt, Budas, Campbell, Clarke, Davis, Donaldson, Doran, Duncan, Fitzgarrald, Flachsenhar, Fletcher, Gordon, Graybill, Green, Harris, Hawley, Holt, Holton, Johnson (Fergus), Johnson (Valley), Kennedy, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Merritt, Moriarity, Mulholland, McGrath, Nelstead, Parkin, Patterson, Peterson, Plank, Plumer, Reed, Rice, Ryder, Sales, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Waite, Walker, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—59.

Noes: Miller. Total—1.

Absent and not voting: Beadle, Berryman, Burns, Caplis, Castles, Cusick, Dellwo, Eaton, Fairgrieve, Fitzgerald, Flynn, Fox, Hanson, Hardcastle, Hedrick, Higham, Hoffman, Joffray, Keeley, Kelly, Kinville, Lemmon, Loble, Masters, Meagher, Morris, Moss, Moulton, Murphy, McAfee, McCarty, Nagle, Nelson, Peat, Ruffcorn, Rupert, Schoening, Shields, Tinsley, Troy, Wold. Total—41.

House Bill No. 338, by Morris, et al., having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Bergstrom, Besancon, Brandt, Budas, Clarke, Cusick, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Graybill, Green, Hanson, Harris, Hawley, Higham, Holt, Holton, Johnson (Fergus), Johnson (Valley), Kennedy, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Masters, Merritt, Miller, Moriarity, Mulholland, Nelson, Nelstead, Parkin, Patterson, Peterson, Plank, Plumer, Reed, Rice, Rupert, Ryder, Sales, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Troy, Waite, Walker, Walton, White, Wuerthner, Zeh. Mr. Speaker. Total—67.

Noes: None.

Absent and not voting: Beadle, Berryman, Burns, Campbell, Caplis, Castles, Davis, Dellwo, Flynn, Fox, Gordon, Hardcastle, Hedrick, Hoffman,



Joffray, Keeley, Kelly, Kinville, Lemmon, Loble, Meagher, Morris, Moss, Moulton, Murphy, McAfee, McCarty, McGrath, Nagle, Peat, Ruffcorn, Schoening, Tinsley, Wold. Total—34.

House Bill No. 339, by Morris and Donaldson, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Bergstrom, Besancon, Brandt, Budas, Clarke, Cusick, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Gordon, Graybill, Green, Hardcastle, Harris, Hawley, Higham, Holt, Holton, Johnson (Fergus), Johnson (Valley), Kennedy, Larson (Cascade), Larson (Sheridan), Leavens, Lincoln, Masters, Meagher, Merritt, Moriarity, Moulton, Mulholland, Murphy, McGrath, Nelson, Nelstead, Parkin, Patterson, Peterson, Plank, Plumer, Reed, Rice, Rupert, Ryder, Sales, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Troy, Waite, Walker, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—69.

Noes: None.

Absent and not voting: Beadle, Berryman, Burns, Campbell, Caplis, Castles, Davis, Dellwo, Flynn, Fox, Hanson, Hedrick, Hoffman, Joffray, Keeley, Kelly, Kinville, Larsen (Sheridan), Lemmon, Loble, Miller, Morris, Moss, McAfee, McCarty, Nagle, Peat, Ruffcorn, Schoening, Shields, Tinsley, Wold. Total—32.

House Bill No. 368, by Committee on Insurance, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Bergstrom, Besancon, Brandt, Budas, Clarke, Cusick, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Flachsenhar, Fletcher, Fox, Gordon, Green, Hardcastle, Harris, Hawley, Higham, Johnson (Fergus), Johnson (Valley), Kennedy, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Masters, Merritt, Miller, Moriarity, Mulholland, Murphy, McAfee, McGrath, Nelson, Nelstead, Parkin, Patterson, Peterson, Plank, Reed, Rice, Ryder, Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Waite, Walker, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—61.

Noes: Fitzgerald. Total—1.

Absent and not voting: Beadle, Berryman, Burns, Campbell, Caplis, Castles, Davis, Dellwo, Donaldson, Flynn, Graybill, Hanson, Hedrick, Hoffman, Holt, Holton, Joffray, Keeley, Kelly, Kinville, Lemmon, Loble, Meagher, Morris, Moss, Moulton, McCarty, Nagle, Peat, Plumer, Ruffcorn, Rupert, Sales, Schoening, Shields, Smith (Lewis and Clark), Tinsley, Troy, Wold. Total—39.

House Bill No. 373, by Committee on Banks and Banking, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Akofer, Anderson, Andrus, Bergstrom, Besancon, Brandt, Budas, Campbell, Clarke, Cusick, Davis, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Fox, Gordon, Green, Harris, Hawley, Higham, Holton, Johnson (Fergus), Johnson (Valley), Kennedy, Larson (Cascade), Larsen (Sheridan), Leavens, Lincoln, Masters, Meagher, Miller, Moriarity, Moulton, Mulholland, Murphy, McAfee, McGrath, Nelson, Nelstead, Parkin, Patterson, Peterson, Plank, Plumer, Reed, Rice, Rupert, Ryder, Sales, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Strange, Throssel, Troy, Waite, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—67.

Noes: Hardcastle, Larson (Sheridan). Total—2.

Absent and not voting: Ainsworth, Beadle, Berryman, Burns, Caplis, Castles, Dellwo, Flynn, Graybill, Hanson, Hedrick, Hoffman, Holt, Joffray, Keeley, Kelly, Kinville, Lemmon, Loble, Merritt, Morris, Moss, McCarty, Nagle, Peat, Ruffcorn, Schoening, Shields, Stoddard, Tinsley, Walker, Wold. Total—32.



House Bill No. 382, by Appropriations Committee, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Anderson, Beadle, Berryman, Besancon, Brandt, Budas, Campbell, Clarke, Cusick, Davis, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgerald, Flachsenhar, Fletcher, Fox, Gordon, Graybill, Green, Hanson, Hardcastle, Harris, Hawley, Higham, Holton, Joffray, Johnson (Valley), Larsen (Sheridan), Larson (Sheridan), Lincoln, Masters, Meagher, Merritt, Miller, Moulton, Mulholland, Murphy, McAfee, McGrath, Nelson, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Rice, Rupert, Ryder, Sales, Smith (Lewis and Clark), Smith (Beaverhead), Stoddard, Strange, Throssel, Troy, Waite, Walker, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—66.

Noes: None.

Absent and not voting: Ainsworth, Akofer, Andrus, Bergstrom, Burns, Caplis, Castles, Dellwo, Fitzgarrald, Flynn, Hedrick, Hoffman, Holt, Johnson (Fergus), Keeley, Kelly, Kennedy, Kinville, Leavens, Lemmon, Loble, Moriarity, Morris, Moss, McCarty, Nagle, Nelstead, Reed, Ruffcorn, Schoening, Shields, Steeves, Tinsley, Wold. Total—34.

Present and not voting: Larson (Cascade). Total—1.

House Bill No. 383, by Appropriations Committee, having been read three several times, title and history agreed to, was amended on third reading as follows:

Section 1: By striking out in line 5 "One Thouasnd Nine Hundred Fifty-three Dollars and 79 Cents" and inserting in lieu thereof the words "Two Thousand and Seventy-nine Dollars," and as so amended, was passed by the following vote:

Ayes: Anderson, Andrus, Bergstrom, Berryman, Besancon, Brandt, Budas, Campbell, Clarke, Cusick, Donaldson, Doran, Duncan, Eaton, Fitzgerald, Flachsenhar, Fletcher, Fox, Gordon, Graybill, Green, Hardcastle, Harris, Hawley, Higham, Joffray, Kelly, Kennedy, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Masters, Merritt, Miller, Moriarity, Moulton, Mulholland, Murphy, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Reed, Rice, Smith (Lewis and Clark), Smith (Beaverhead), Stoddard, Strange, Throssel, Troy, Waite, Walker, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—62.

Noes: None.

Absent and not voting: Ainsworth, Akofer, Beadle, Burns, Caplis, Castles, Davis, Dellwo, Fairgrieve, Fitzgarrald, Flynn, Hanson, Hedrick, Hoffman, Holt, Holton, Johnson (Fergus), Johnson (Valley), Keeley, Kinville, Lemmon, Loble, Meagher, Morris, Moss, McAfee, McCarty, McGrath, Nagle, Nelson, Ruffcorn, Rupert, Ryder, Sales, Schoening, Shields, Steeves, Tinsley, Wold. Total—39.

Committee on Printing reported as follows:

Mr. Speaker: We, your Committee on Printing beg leave to report the following bills correctly printed:

House Bills No. 4, No. 40, No. 299, No. 321, No. 366, No. 346, No. 414, No. 426, No. 234, No. 431, No. 380, No. 432, No. 265, No. 357, No. 436, No. 309; Substitute House Bills No. 101, No. 117, No. 409, No. 295, No. 359.

FRED W. ZEH, Chairman.

Moved by Hanson, duly seconded and carried, that House adjourn until 1:00 P. M.

#### AFTERNOON SESSION

House resumed at 1:00 P. M.

Mr. Speaker in the chair.

Mr. Speaker announced that, according to motion made a few days ago, the House would now be at ease for thirty minutes to listen to an address by Mr. Benz of the Northern Pacific Railway Company, on agriculture.

House resumed at 1:40 P. M.

Mr. Speaker in the chair.

Moved by Wold, duly seconded and carried, that House now be on Order of Business No. 8:

### THIRD READING OF SENATE BILLS

Senate Bill No. 41, by Spencer, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Akofer, Anderson, Bergstrom, Besancon, Brandt, Budas, Cusick, Donaldson, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Fletcher, Gordon, Graybill, Green, Hardcastle, Harris, Hawley, Hedrick, Higham, Holt, Holton, Joffray, Johnson (Fergus), Kelly, Kennedy, Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Merritt, Miller, Moriarity, Morris, Moulton, Mulholland, Murphy, McAfee, McGrath, Nagle, Nelson, Nelstead, Parkin, Peterson, Plank, Plumer, Rice, Rupert, Sales, Schoening, Smith (Lewis and Clark), Smith, (Beaverhead), Steeves, Strange, Tinsley, Troy, Waite, Walton, White, Wold, Wuerthner, Mr. Speaker. Total—63.

Noes: None.

Absent and not voting: Ainsworth, Andrus, Beadle, Berryman, Burns, Campbell, Caplis, Castles, Clarke, Davis, Dellwo, Doran, Duncan, Flachsenhar, Flynn, Fox, Hanson, Hoffman, Johnson (Valley), Keeley, Kinville, Larson (Cascade), Lemmon, Loble, Masters, Meagher, Moss, McCarty, Patterson, Peat, Reed, Ruffcorn, Ryder, Shields, Stoddard, Throssel, Walker, Zeh. Total—38.

Senate Bill No. 53, by Committee on Stock Growing and Grazing, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Akofer, Anderson, Beadle, Bergstrom, Besancon, Brandt, Budas, Cusick, Donaldson, Eaton, Fairgrieve, Fitzgarrald, Flynn, Gordon, Graybill, Green, Hanson, Hardcastle, Harris, Hawley, Hedrick, Higham, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kennedy, Larson (Cascade), Larsen (Sheridan), Leavens, Lincoln, Merritt, Morris, Moulton, Mulholland, Murphy, McGrath, Nelson, Nelstead, Parkin, Patterson, Plank, Plumer, Reed, Rice, Rupert, Ryder, Sales, Schoening, Smith (Beaverhead), Strange, Tinsley, Waite, Walton, White, Wold, Wuerthner, Mr. Speaker. Total—60.

Noes: Burns. Total—1.

Absent and not voting: Ainsworth, Andrus, Berryman, Campbell, Caplis, Castles, Clarke, Davis, Dellwo, Doran, Duncan, Fitzgerald, Flachsenhar, Fletcher, Fox, Hoffman, Holt, Kinville, Larson (Sheridan), Lemmon, Loble, Masters, Meagher, Miller, Moriarity, Moss, McAfee, McCarty, Nagle, Peat, Peterson, Ruffcorn, Shields, Smith (Lewis and Clark), Steeves, Stoddard, Throssel, Troy, Walker, Zeh. Total—40.

Senate Bill No. 61, by Corrington and Schnitzler, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Akofer, Anderson, Beadle, Besancon, Burns, Clarke, Cusick, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Flynn, Fox, Gordon, Graybill, Green, Hardcastle, Harris, Hedrick, Higham, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kennedy, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Merritt, Miller, Moriarity, McAfee, McGrath, Nagle, Nelstead, Parkin, Patterson, Plank, Reed, Rice, Ryder, Sales, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Strange, Throssel, Tinsley, Waite, Walton, White, Wold, Wuerthner, Mr. Speaker. Total—63.

Noes: None.

Absent and not voting: Ainsworth, Andrus, Bergstrom, Berryman, Brandt, Budas, Campbell, Caplis, Castles, Davis, Dellwo, Fletcher, Hanson,



Hawley, Hoffman, Holt, Kinville, Lemmon, Loble, Masters, Meagher, Morris, Moss, Moulton, Mulholland, Murphy, McCarty, Nelson, Peat, Peterson, Plumer, Ruffcorn, Rupert, Shields, Stoddard, Troy, Walker, Zeh. Total—38.

Senate Bill No. 63, by Corrington and Schnitzler, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Beadle, Besancon, Brandt, Budas, Burns, Campbell, Clarke, Cusick, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Flachsenhar, Fletcher, Flynn, Fox, Gordon, Graybill, Green, Hanson, Hardecastle, Harris, Hedrick, Higham, Holt, Johnson (Fergus), Johnson (Valley), Keeley, Kennedy, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Masters, Meagher, Merritt, Miller, Moriarity, Morris, Moss, Moulton, Mulholland, Murphy, McAfee, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Peterson, Plank, Plumer, Reed, Rice, Rupert, Ryder, Sales, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Throssel, Tinsley, Walton, White, Wold, Wuerthner, Mr. Speaker. Total—78.

Noes: None.

Absent and not voting: Andrus, Bergstrom, Berryman, Caplis, Castles, Davis, Fitzgarrald, Hawley, Hoffman, Joffray, Kelly, Kinville, Lemmon, Loble, McCarty, Peat, Ruffcorn, Shields, Strange, Troy, Waite, Walker, Zeh. Total—23.

Senate Bill No. 64, by Corrington and Schnitzler, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Brandt, Budas, Campbell, Clarke, Cusick, Davis, Dellwo, Donaldson, Duncan, Eaton, Fairgrieve, Fitzgarrald, Fitzgarrald, Flachsenhar, Fletcher, Flynn, Fox, Gordon, Green, Hanson, Hardecastle, Harris, Hawley, Hedrick, Higham, Holt, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Kennedy, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Masters, Merritt, Miller, Moriarity, Moss, Moulton, Mulholland, Murphy, McAfee, McGrath, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Reed, Rice, Rupert, Sales, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Tinsley, Waite, Walton, White, Wold, Wuerthner, Zeh, Mr. Speaker. Total—77.

Noes: None.

Absent and not voting: Bergstrom, Berryman, Besancon, Burns, Caplis, Castles, Doran, Graybill, Hoffman, Keeley, Kelly, Kinville, Lemmon, Loble, Meagher, Morris, McCarty, Nagle, Nelson, Ruffcorn, Ryder, Shields, Troy, Walker. Total—24.

Senate Bill No. 65, by Corrington and Schnitzler, having been read three several times title and history agreed to, was concurred in by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Brandt, Budas, Campbell, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Fitzgarrald, Flachsenhar, Fletcher, Flynn, Fox, Graybill, Green, Hardecastle, Harris, Hawley, Hedrick, Holt, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kennedy, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Masters, Miller, Moriarity, Morris, Moss, Moulton, Mulholland, Murphy, McAfee, McGrath, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Reed, Rice, Ryder, Sales, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Tinsley, Waite, Walker, Walton, White, Wold, Wuerthner, Zeh, Mr. Speaker. Total—79.

Noes: None.

Absent and not voting: Berryman, Besancon, Burns, Caplis, Castles, Gordon, Hanson, Higham, Hoffman, Kelly, Kinville, Lemmon, Loble, Meagher, Merritt, McCarty, Nagle, Nelson, Ruffcorn, Rupert, Shields, Troy. Total—22.



Senate Bill No. 66, by Corrington and Schnitzler, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Bergstrom, Berryman, Brandt, Budas, Cusick, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Gordon, Green, Hanson, Hardcastle, Harris, Hawley, Hedrick, Higham, Holt, Holton, Joffray, Johnson, (Fergus), Johnson (Valley), Kennedy, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Masters, Merritt, Miller, Morris, Moulton, Mulholland, Murphy, McAfee, McGrath, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Rice, Ryder, Sales, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Strange, Throssel, Tinsley, Waite, Walker, Walton, Wuerthner, Zeh, Mr. Speaker. Total—70.

Noes: None.

Absent and not voting: Andrus, Beadle, Besancon, Burns, Campbell, Caplis, Castles, Clarke, Davis, Flynn, Fox, Graybill, Hoffman, Keeley, Kelly, Kinville, Lemmon, Loble, Meagher, Moriarity, Moss, McCarty, Nagle, Reed, Ruffcorn, Rupert, Shields, Stoddard, Troy, White, Wold. Total—31.

Senate Bill No. 67, by Corrington and Schnitzler, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Brandt, Budas, Burns, Campbell, Clarke, Cusick, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Flynn, Fox, Gordon, Green, Hanson, Hardcastle, Harris, Hawley, Hedrick, Higham, Holt, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kennedy, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Masters, Merritt, Miller, Moriarity, Morris, Moss, Mulholland, Murphy, McAfee, McGrath, Nelson, Nelstead, Parkin, Patterson, Peterson, Plank, Plumer, Reed, Rice, Ruffcorn, Rupert, Ryder, Sales, Schoening, Smith (Beaverhead), Steeves, Stoddard, Throssel, Tinsley, Waite, Walton, Wold, Wuerthner, Zeh, Mr. Speaker. Total—81.

Noes: None.

Absent and not voting: Besancon, Caplis, Castles, Davis, Graybill, Hoffman, Kinville, Lemmon, Loble, Meagher, Moulton, McCarty, Nagle, Peat, Shields, Smith (Lewis and Clark), Strange, Troy, Walker, White. Total—20.

Senate Bill No. 70, by Committee on Banks and Banking, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Brandt, Budas, Burns, Campbell, Clarke, Cusick, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Flynn, Fox, Gordon, Green, Hanson, Hardcastle, Harris, Hawley, Hedrick, Higham, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kennedy, Larson (Sheridan), Larson (Sheridan), Leavens, Lincoln, Masters, Meagher, Merritt, Miller, Moriarity, Moss, Moulton, Murphy, McAfee, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Reed, Rice, Ruffcorn, Ryder, Sales, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Throssel, Tinsley, Waite, Walton, Wold, Wuerthner, Zeh, Morris, Mr. Speaker. Total—78.

Noes: Mulholland, White. Total—2.

Absent and not voting: Besancon, Caplis, Castles, Davis, Fletcher, Graybill, Hoffman, Holt, Kinville, Larson (Cascade), Lemmon, Loble, McCarty, McGrath, Nagle, Plumer, Rupert, Shields, Strange, Troy, Walker. Total—21.

There being no objections, House reverted to Order of Business No. 4:

## REPORTS OF STANDING COMMITTEES

The following reports were received from Standing Committees:

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 425, introduced by Beadle, Fitzgerald and Mulholland, respectfully report as follows:

That said House Bill No. 425 do not pass.

CLARKE, Chairman.

On motion of Clarke, report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 349, introduced by Fitzgerald, Beadle and Mulholland, respectfully report as follows:

That said House Bill No. 349 do not pass.

CLARKE, Chairman.

Moved by Clarke, duly seconded, that report be adopted.

Question arising on motion, roll call, having been demanded by Beadle, the motion carried by the following vote:

Ayes: Ainsworth, Akofer, Andrus, Bergstrom, Berryman, Brandt, Burns, Campbell, Clarke, Davis, Dellwo, Donaldson, Duncan, Fairgrieve, Fitzgarrald, Flachsenhar, Fletcher, Flynn, Gordon, Graybill, Green, Hanson, Harris, Hawley, Hedrick, Higham, Holton, Johnson (Fergus), Johnson (Valley), Keeley, Kennedy, Leavens, Masters, Meagher, Merritt, Morris, Moss, Moulton, Murphy, McAfee, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plumer, Rice, Ruffcorn, Ryder, Sales, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Strange, Waite, Walker, Walton, White, Wold, Wuerthner, Zeh, Mr. Speaker. Total—64.

Noes: Anderson, Beadle, Budas, Cusick, Eaton, Fitzgerald, Fox, Hardcastle, Joffray, Kelly, Larsen (Sheridan), Lincoln, Miller, Moriarity, Mulholland, McGrath, Plank, Rupert, Stoddard, Tinsley. Total—20.

Absent and not voting: Besancon, Caplis, Castles, Doran, Hoffman, Holt, Kinville, Larson (Cascade), Larson (Sheridan), Lemmon, Loble McCarty, Nagle, Reed, Shields, Troy. Total—16.

Present and not voting: Throssel. Total—1.

Mr. Speaker: Your Committee on Railroads and Transportation, having had under consideration House Bill No. 369, introduced by Committee on Railroads and Transportation, respectfully report as follows:

That House Bill No. 369 be amended:

By striking out all of Section 4 of the amended bill and renumbering Sections 5 and 6 as Sections 4 and 5, and when so amended, that the bill do pass.

HAWLEY, Chairman.

On motion of Hawley, report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 446, respectfully report as follows:

That House Bill No. 446 do not pass.

And ask permission of the House to later introduce a resolution on the subject matter contained in this bill.

EATON, Chairman.

On motion of Eaton, report adopted.

## CONSIDERATION OF GENERAL ORDERS

Moved by Ruffcorn, duly seconded and carried, that House now resolve itself into Committee of the Whole for Consideration of General Orders, and that debate be limited to ten minutes for proponents or authors of bills and to three minutes for others, with no trading of time.

Mr. Joffray in the chair.

The committee arose.



Mr. Speaker in the chair.

The Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration Bills on General Orders, respectfully report as follows:

That House Bill No. 330 be amended as follows:

Section 1. By inserting in line 3, between the words "the" and "year," "last three-quarters of the."

Section 2. By inserting in line 3, between the words "the" and "year," the words "last three-quarters of the."

Section 3. By striking out in line 5, the words "March 31st" and inserting in lieu thereof the words "June 30th."

Section 4. By inserting in line 12 before the word "subsequent" the word "each."

Section 4. By adding in line 18 after the word "same" and before the word "No," the following words and phrases: "All licenses taxes due from any distributor or dealer under the provisions of this Act, together with all penalties and interest thereon shall be a prior lien upon any and all property used by such distributor or dealer in connection with such business or operation subject to such license taxes, whether such property is owned by such distributor or dealer or not, which lien shall have precedence over any other lien, claim or demand, and may be enforced in the name of the State of Montana in the same manner as other liens are enforced at law."

Section 5. By striking out lines 3 to 5 inclusive and inserting in lieu thereof the words: "Section 2392. Fifteen percent of all moneys received by the State Treasurer in payment of license taxes under the provisions of this Act shall be deposited by him and credited to the general fund of the State; sixty per cent of all such moneys so received by the State Treasurer under the provisions of this Act shall be deposited by him and credited to the State Highway fund; and the remaining twenty-five per cent of such money so received by said State Treasurer under the provisions of this Act shall at the end of each fiscal year be prorated equally among and paid over to the several counties of the State to the credit and use of the general funds thereof for the maintenance or construction of highways."

Section 7. By striking out in lines 1 and 2 the words "its passage and approval," and inserting in lieu thereof the words "April 1st, 1925."

And that, as amended, House Bill No. 330 do pass.

JOFFRAY, Chairman.

Moved by Joffray, duly seconded, that report be adopted.

Question arising on motion that report be adopted, roll call having been demanded, same carried by the following vote:

Ayes: Ainsworth, Andrus, Bergstrom, Berryman, Besancon, Burns, Campbell, Clarke, Davis, Dellwo, Donaldson, Duncan, Eaton, Fairgrieve, Flachsenhar, Fletcher, Flynn, Gordon, Graybill, Green, Hanson, Harris, Hawley, Hedrick, Holt, Joffray, Johnson, (Fergus), Johnson (Valley), Keeley, Kennedy, Larson (Cascade), Leavens, Masters, Meagher, Miller, Moss, Moulton, Nagle, Nelstead, Parkin, Peat, Peterson, Plank, Reed, Rice, Ruffcorn, Sales, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Throssel, Waite, Walker, Walton, White, Wold, Wuerthner, Zeh. Total—60.

Noes: Akofer, Anderson, Beadle, Brandt, Budas, Caplis, Cusick, Doran, Fitzgarrald, Fitzgerald, Fox, Hardecastle, Higham, Holton, Kelly, Kinville, Larsen (Sheridan), Larson (Sheridan), Lincoln, Merritt, Moriarity, Morris, Mulholland, Murphy, McAfee, McCarty, McGrath, Nelson, Patterson, Plumer, Rupert, Ryder, Stoddard, Strange, Tinsley, Troy. Total—36.

Absent and not voting: Castles, Hoffman, Lemmon, Loble. Total—4.

#### CONSIDERATION OF GENERAL ORDERS

Moved by Ruffcorn, duly seconded and carried, that House now resolve itself into Committee of the Whole for Consideration of General Orders,



and that debate be limited to five minutes for proponents or authors of bills and to three minutes for all others, with no trading of time.

Mr. Joffray in the chair.

The Committee arose.

Mr. Speaker in the chair.

The Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration Bills on General Orders, respectfully report as follows:

That House Bill No. 396 be amended as follows:

Section 3685. By striking out all of lines 44 to 50 inclusive, and inserting in lieu thereof the words: "Twenty-five cents (.25c) out of every fishing and hunting license fee collected shall be set aside as a fund to be used by the Fish and Game Commission for the destruction of predatory animals. The sum of Seven Thousand Five Hundred Dollars (\$7,500.00) of said fund shall be transferred therefrom on or before January first of each year to the Bounty fund of the State, to be used to pay bounties on predatory animals, as provided by law. The said sum of Seven Thousand Five Hundred Dollars (\$7,500.00) shall be matched with a like sum of the said Bounty fund money derived from the tax on livestock now provided by law. Said total sum of Fifteen Thousand Dollars (\$15,000.00) or such part thereof as may be necessary, shall be expended for payment of bounties on predatory animals. In the event that there shall be any unexpended portion of said Fifteen Thousand Dollars (\$15,000.00) at the close of the bounty paying season of any year, fifty per cent of such unexpended balance shall be retransferred to the fund for the destruction of predatory animals created herein. Nothing herein contained shall be so construed as to prevent the Live Stock Commission from expending from the Bounty fund any part thereof in excess of Fifteen Thousand Dollars (\$15,000.00) which may be necessary for the purpose of paying bounties."

And that, as amended, House Bill No. 396 do pass.

That House Bill No. 35 be amended as follows:

The title. By inserting after the word "hereof" in line 10 the following: "and repealing Sub-section 4 of Section 1759 of the Revised Codes of Montana, 1921."

Section 2. By inserting in line 11 after the word "vehicle" the words "date of acquisition."

Section 5. By adding in line 16 a new sentence after the word "time" as follows: "it shall be the duty of the Secretary of State to forward a duplicate of each certificate of registration to the County Assessor of the County in which the owner resides, such duplicate to be forwarded at least once each month and such assessor shall file such duplicate certificates in his office alphabetically by name of person to whom issued."

Section 6. By adding in line 5 after the word "thereof" the words "or otherwise."

Section 14. By striking out in line 21½ the word "fifteen" and inserting in lieu thereof the word "five" and in line 29 by striking out the word "ten" and inserting in lieu thereof the word "three."

Section 18. By striking out in line 6, the following: "revert to the State Highway fund in the State Treasury," and inserting in lieu thereof the words: "be distributed as follows: twenty-five per cent to the General fund of the counties from which the same originated, twenty-five per cent to the road fund of the counties from which the same originated, and fifty per cent to the common school fund."

Section 22. By striking out all after the figure "22" and inserting in lieu thereof the following: "Sub-section 4 of Section 1759 of the Revised Codes of Montana, 1921, is hereby repealed."

Add a new section to be known as Section 23 to read as follows: Section 23. All Acts and parts of Acts in conflict herewith are hereby repealed."

And that, as amended, House Bill No. 35 do pass.  
That House Bill No. 385 be passed for time being.  
That House Bill No. 229 be passed for time being.  
That House Bill No. 230 be passed for time being.  
That House Bill No. 242 be passed for time being.  
That House Bill No. 33 be amended as follows:

Section 1. By striking out in line 4 the word "Senate" and inserting in lieu thereof the words "State Board of Land Commissioners;" also insert after the word "lands" in line 4 the following: "whose appointment shall be confirmed by the Senate."

And that, as amended, House Bill No. 33 do pass.  
That House Bill No. 67 be passed for time being.  
That House Bill No. 244 do pass.  
That House Bill No. 323 be amended as follows:

Section 1. By striking out in line 9 the word "above," and inserting after "powers" the words "herein granted."

And that, as amended, House Bill No. 323 do pass.  
That House Bill No. 356 do pass.  
That House Bill No. 379 do pass.  
That House Bill No. 381 do pass.  
That House Bill No. 388 do pass.  
That House Bill No. 392 do pass.  
That House Bill No. 398 be passed for time being.  
That House Bill No. 406 be amended as follows:

Section 1. By striking out in line 4 the word "lodge" and inserting in lieu thereof the word "lode;" by striking out in line 19 the word "statements" and inserting in lieu thereof the word "statement;" by striking out in line 25 the word "measurements" and inserting in lieu thereof the word "measurement."

And that, as amended, House Bill No. 406 do pass.  
That House Bill No. 439 be amended as follows:

Section 1. In line 5 by adding after the word "of" the word "taxable;" and in line 8 add the word "taxable" after the word "of."

And that, as amended, House Bill No. 439 do pass.  
That House Bill No. 441 be amended as follows:

Section 1. In line 3 by adding after the word "of" the word "taxable;" and in line 5 add the word "taxable" after the word "of."

Section 2. By inserting in line 2 after the word "next" the word "general."

And that, as amended, House Bill No. 441 do pass.  
That House Joint Resolution No. 8 do pass.  
That House Joint Resolution No. 10 do pass.  
That House Bill No. 444 be passed for time being.

JOFFRAY, Chairman.

Moved by Joffray, duly seconded and carried, that the report of the Committee of the Whole be adopted.

The Engrossing Committee reported as follows:

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bill correctly engrossed: House Bill No. 435.

BERRYMAN, Chairman.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed:

House Bills No. 394, No. 403, No. 384, No. 376, No. 395, No. 282, No. 280; House Joint Resolution No. 9; House Bill No. 236.

BERRYMAN, Chairman.

Moved by Ruffcorn, duly seconded and carried, that House adjourn until 9:00 A. M., February 21, 1925.

R. C. BRICKER, Speaker.

Attest: H. J. FAUST, Chief Clerk.

## FORTY-EIGHTH DAY

House of Representatives,  
Helena, Montana, February 21, 1925.

House met pursuant to adjournment at 9:00 A. M.

Mr. Speaker in the chair.

Prayer by the Chaplain.

On roll call all present except: Andrus, Castles, Hardcastle, Sales, excused until Monday; Lemmon, excused on account of sickness; Meagher, Moriarity, absent.

The Committee on Journal reported as follows:

Mr. Speaker: We, your Committee on Journal, have this day examined the Journal for the 47th Legislative day and found the same correct.

PEARL I. SMITH, Chairman.

On motion of Smith of Beaverhead, report adopted.

## INTRODUCTION OF BILLS AND MEMORIALS

The following bills were introduced, read first and second times, and referred to committees as follows:

Senate Joint Resolution No. 9, introduced by Gilboe: "A Resolution regarding the operation of the irrigation projects on the Blackfeet Indian reservation." Referred to Committee on Irrigation.

Senate Bill No. 57, introduced by Committee on Banks and Banking: A Bill for an Act entitled: "An Act to amend Section 6108 of the Revised Codes of Montana relative to the liability of banks on negotiable instruments forwarded for collection." Referred to Banks and Banking Committee.

Senate Bill No. 136 by Church: A Bill for an Act entitled: "An Act providing a manner for the submission to the qualified voters of any county of the question as to whether under certain conditions pari-mutuel totalizing machines shall be permitted in said county, providing for the manner of holding said election and the ballots to be used therefor and providing a place wherein said pari-mutuel totalizing machines may be used and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Fairs and Expositions.

Senate Bill No. 139, by Oliver: A Bill for an Act entitled: "An Act to amend Section 6358 of the Revised Codes of the State of Montana, 1921, relating to the powers of building and loan associations." Referred to Banks and Banking Committee.

Senate Bill No. 150, by Linn: A Bill for an Act entitled: "An Act to amend Sections 4402 and 4403 of the Revised Codes of Montana, 1921, relating to the transcribing of public records upon the creation of new counties." Referred to Townships and Counties Committee.

## MOTIONS AND RESOLUTIONS

Moved by Ruffcorn, duly seconded and carried, that until after the 50th Legislative day, consideration of all appropriation bills on General Orders be deferred.



Moved by Ruffcorn, duly seconded and carried, that consideration of House Bills Nos. 229, 230 and 242 on General Orders be deferred to permit the author of the bills to be present.

Moved by Fitzgarrald, duly seconded and carried, that consideration of House Bill No. 414 be passed for the time being.

Moved by Joffrav, duly seconded and carried, that consideration of House Bill No. 444 be passed for the time being.

#### CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

Moved by Ruffcorn, duly seconded and carried, messages from Senate be considered read at length and the Journal so show.

The following messages were received from the Senate:

Helena, Montana, February 20, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title agreed to, and are herewith transmitted to the House for concurrence:

S. B. No. 150 by Linn.

S. J. R. No. 9 by Gilboe.

S. B. No. 57 by Committee on Banks and Banking.

S. B. No. 136 by Church.

S. B. No. 139 by Oliver.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 20, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that H. B. No. 95, by Caplis, Peat, Fairgrieve and Mulholland, was this day read third time and concurred in as amended, title agreed to, and is herewith returned to the House for concurrence in Senate amendments.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 20, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 220, by Gordon, was this day read third time and concurred in as amended, title agreed to, and is herewith returned to the House for concurrence in Senate amendments.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 20, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 174, by Loble, was this day read third time and concurred in as amended, title agreed to, and is herewith returned to the House for concurrence in Senate amendments.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 20, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 226, by Committee on Banks and Banking, was this day read third time and concurred in as amended, title agreed to, and is herewith returned to the House for concurrence in Senate amendments.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 20, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 224, by Committee on Banks and Banking, was this day read third time and concurred in as amended, title agreed to, and is herewith returned to the House for concurrence in Senate amendments.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 20, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 247 was this day read third time and concurred in as amended, title agreed to, and is herewith returned to the House for concurrence in Senate amendments.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 20, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following bills were this day read third time and concurred in, title agreed to, and are herewith returned to the House:

House Bill No. 6, by Fox, Parkin and McCarty.

House Bill No. 119, by Besancon, Hanson and Hoffman.

House Bill No. 211, by Keeley.

House Bill No. 208, by Committee on Agriculture.

House Bill No. 191, by Smith of Beaverhead.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 20, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following bills were this day considered by the Committee of the Whole. Committee recommends that they be not concurred in. Report adopted and bills are herewith returned to the House.

House Bill No. 66, by Flachsenhar.

House Bill No. 200, by Hoffman, by request.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 20, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee of the Whole, having had under consideration Business on General File, report as follows:

That Senate Bill No. 47 do pass.

That Senate Bill No. 76 do not pass.

That Senate Bill No. 86 do pass.

That Senate Bill No. 87 do not pass.

That consideration of Senate Bill No. 91 be passed for the day.

That Senate Bill No. 100 do pass.

That Senate Bill No. 141 do pass.

That consideration of Senate Joint Resolution No. 7 be passed for the day.

That Senate Joint Resolution No. 10 do pass.

That Senate Resolution No. 8 do pass.

That consideration of Senate Bill No. 129 be passed for the day.

Report adopted.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 20, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House bills were this day read first and second times and referred to the Standing Committees:

House Bill No. 59—Elections and Privileges.

House Bill No. 69—Judiciary.

House Bill No. 86—Taxation.

Sub. House Bill No. 139—Railroads and Transportation.

Sub. House Bill No. 163—Irrigation.

House Bill No. 254—Oil and Leases.

House Bill No. 227—Banks and Banking.

House Bill No. 315—Judiciary.

House Bill No. 327—Counties and Towns.

House Bill No. 334—Counties and Towns.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 20, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee of the Whole, having had under consideration Business on General File, report as follows:

That the enacting clause be stricken from Senate Bill No. 58.

That Senate Bill No. 83 do not pass.

That consideration of House Bill No. 228 be passed for the day.

That House Bill No. 23 be amended, and, as amended, it be concurred in.

That House Bill No. 82 be concurred in.

That House Bill No. 168 be concurred in.

That House Bill No. 197 be concurred in.

That the enacting clause be stricken from House Bill No. 200.

That House Bill No. 204 be concurred in.

The consideration of House Bill No. 228 be passed for the day.

That House Bill No. 284 be concurred in.

Report adopted.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 20, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read first and second times and referred to the Standing Committees:

House Bill No. 144—Judiciary.

House Bill No. 198—Counties and Towns.

House Bill No. 209—Agriculture.

House Bill No. 283—Finance and Claims.

House Bill No. 305—Counties and Towns.

House Bill No. 308—Judiciary.

House Bill No. 312—Agriculture.

House Bill No. 317—Judiciary.

House Bill No. 324—Counties and Towns.

House Bill No. 338—Education.

House Bill No. 339—Education.

House Bill No. 340—Dairies and Dairying.

House Bill No. 341—Dairies and Dairying.



House Bill No. 342—Dairies and Dairying.

House Bill No. 343—Dairies and Dairying.

House Bill No. 344—Dairies and Dairying.

House Bill No. 361—Public Lands.

House Bill No. 368—Insurance.

House Bill No. 373—Banks and Banking.

House Bill No. 382—Finance and Claims.

Sub. House Bill No. 248—Public Lands.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 20, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Sub. for S. B. No. 5, by Committee on Constitutional Amendments, was this day read first and second time and referred to Committee on Constitutional Amendments.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 20, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Judiciary Committee has this day reported that H. B. No. 55 be amended as follows:

Amend by inserting in line 12, page 1, of the typewritten copy after the word "Montana" the following words "of 1921, as amended by Chapter 32 of the Laws of the Eighteenth Legislative Assembly."

Insert in line 32, page 1, of the typewritten bill after the figures "8366," the words "of the Revised Codes of Montana, 1921."

Insert in line 6, page 2, of the typewritten bill after the word "thereon," the words "except the said thresherman's liens."

And that, as so amended, the bill be concurred in.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 20, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Privileges and Elections report that H. B. No. 93 be amended as follows:

Amend by striking out the words "on the Second Tuesday of July" in line 3 of the printed bill, and inserting in lieu thereof the words "on the ninety-first day," and that, as amended, it be concurred in. Report adopted.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 20, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Public Lands report that H. B. No. 96 be amended as follows:

Amend Section 3, line 13, by adding thereto the following: "He shall give a satisfactory bond to the State of Montana in the sum of Ten Thousand Dollars (\$10,000.00), as guarantee for the faithful performance of his duties," and, as so amended, it be concurred in.

Report adopted.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 20, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Finance and Claims report that H. B. No. 50 be amended as follows:

By striking out all of Section 1 of the printed bill after the second line of Section 1 and inserting in lieu thereof the following:

Section 1. "Section 916. Expenses. The State Entomologist shall receive no compensation for his services other than what he may receive from the College of Agriculture and Mechanic Arts and Experiment Station, but such office or laboratory expenses as result from the work contemplated under this Act, not to exceed such sums as the legislature from time to time may appropriate, shall be paid, and upon certification of the secretary of the executive board of the College of Agriculture and Mechanic Arts and Director of the Agricultural Experiment Station, the State Auditor is authorized to issue warrants to cover the same. The actual traveling expenses of the State Entomologist and of his assistant, which shall result from the work contemplated under this Act, together with the salary of such assistant, shall be paid by the county or counties wherein such work is contemplated or carried on, and upon presentation and allowance of a sworn claim against such county or counties, warrants in payment thereof shall be drawn upon the General Fund of such county or counties. The Board of County Commissioners shall annually determine the amount of such warrants drawn upon the General Fund for the purposes of this Act, and shall include such amount in the tax levied the succeeding year for the purpose of insect pest extermination and reimburse the General Fund for money so paid out on such warrants as is provided in Section 4504 of the Revised Codes of Montana of 1921, as amended by Chapter 25 of the Laws of the Eighteenth Legislative Assembly of 1923."

And, as so amended, that it be concurred in.

Report adopted.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 20, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Standing Committees have this day made the following reports:

Committee on Revenue and Taxation reports that H. B. No. 184 be concurred in.

Committee on Horticulture reports that H. B. No. 281 be concurred in.

Committee on Railroads and Transportation reports that H. B. No. 167 be concurred in.

Committee on Judiciary report that H. B. No. 262 be concurred in; that H. B. No. 136 be concurred in; that H. B. No. 151 be concurred in; that H. B. No. 66 be not concurred in.

Committee on Roads and Highways reports that House Bill No. 189 be concurred in.

Reports adopted.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 20, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Revenue and Taxation reports that H. B. No. 61 be amended as follows:

Amend the title by adding after the word "Montana" the words "Relating to the payment of delinquent taxes."

Amend Section 2 to read as follows: "This Act shall be in full force and effect from and after July 1st, 1925."

And, as so amended, that it be concurred in.

Reports adopted.

Respectfully,

J. F. CONE, Secretary of Senate.

## THIRD READING OF SENATE BILLS

Moved by Ruffcorn, duly seconded and carried, that third reading of Senate bills be passed.

## THIRD READING OF HOUSE BILLS

Moved by Ruffcorn, duly seconded and carried, that third reading of House bills be passed.

## CONSIDERATION OF GENERAL ORDERS

Moved by Ruffcorn, duly seconded and carried, that House now resolve itself into Committee of the Whole for Consideration of General Orders and that debate be limited to five minutes for proponent or author of bills and to three minutes to others with no trading of time.

Mr. Davis in the chair.

The committee arose.

Mr. Speaker in the chair.

The Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration bills on General Orders, respectfully report as follows: That

House Bill No. 40 be amended as follows:

Section 21. By inserting in line 16 after the words "Registered mail" the following "At least three months before the expiration of the time of redemption on such sale."

And that, as amended, House Bill No. 40 do pass.

House Bill No. 385 be passed for time being.

House Bill No. 67 do pass.

House Bill No. 369 be amended as follows:

Section 2. By striking out in line 4 the word "three" and inserting in lieu thereof the word "two;" by striking out in line 5 the word "two" and inserting in lieu thereof the word "one;" by striking out in line 6 the word "one" and inserting in lieu thereof the words "one-half;" by striking out in line 6 the figures "\$15000" and inserting the figures "\$25000;" also inserting after the figures "50,000" the word "inclusive;" also striking out figures "\$15,000," line 7, and inserting in lieu thereof the figures "\$25,000;" also striking out figures "\$5000," line 7, and inserting words and figures "\$10,000 inclusive."

And as amended House Bill No. 369 do pass.

House Bill No. 398 be passed for time being.

House Bill No. 99 be passed for time being.

Substitute House Bill No. 109 be amended as follows:

Title: By striking out in line 13 the word "produced" and inserting in lieu thereof the word "producing;" and by striking out the semicolon after the word "entitled" in line 17.

Section 2: By striking out in line 8, after the word "employment" the words "under any appointment."

Section 3: By striking out in line 1, the word "workmen" wherever the same appears in said line, and inserting in lieu thereof the word "workman."

Section 10: By striking out in line 7, after the word "for" the word "the" and inserting in lieu thereof the letter "A."

Section 14: By striking out in line 7, the letter "s" in the word "employees" and by striking out in line 7, after the word "under" the word "the" and inserting in lieu thereof the letter "a."

Section 16: By striking out in line 9, the word "six" and inserting in lieu thereof the word "seven."



Section 17: By striking out in line 4, the word and number "Plan 3," and inserting in lieu thereof the words and numbers "Plans 2 or 3," and that amended in this manner, same do pass.

House Bill No. 314 do pass.

House Bill No. 335 be amended as follows:

Section 1. By striking out in line 34, the word "of" preceding "such."

Section 11. By striking out in lines 96 and 105 the word "domestic."

Section 19. By striking out in line 435 the word "and" preceding the word "prior," and inserting in lieu thereof the word "or."

By adding a new section to be known as Section 8.

Section 8. All Acts and parts of Acts in conflict herewith are hereby repealed. Also to renumber all sections to conform herewith.

By adding a new section to be known as Section 9.

Section 9. This Act shall be in full force and effect from and after its passage and approval.

And that as amended, same do pass.

House Bill No. 362. That the enacting clause be stricken out.

DAVIS, Chairman.

On motion of Davis, report adopted.

Mr. Speaker: gave notice to the House that he was about to sign Senate Bills 41, 61, 63, 64, 65, 66, 70, 67, 53, 17, 23, 77 and 25, and thereupon signed the same.

The Committee on Printing reported as follows:

Mr. Speaker, We your Committee on Printing, beg leave to report the following bills correctly printed:

House Bills 138, 37, 364, 420, 177, 389, 371, 374, 285, 412, 270.

Substitute House Bills 332, 438.

House Joint Resolution No. 6.

FRED W. ZEH, Chairman.

Mr. Speaker: We, your Committee on Printing, beg leave to report the following bills correctly printed:

House Bill 355.

Substitute House Bill No. 20.

FRED W. ZEH, Chairman.

The Committee on Enrolling reported as follows:

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled:

House Bill No. 112.

House Resolution No. 2.

McAFEE, Chairman.

At this point the Speaker announced that Nagle would be excused for the afternoon.

Moved by Ruffcorn, duly seconded and carried, that House recess until 2:00 P. M.

#### AFTERNOON SESSION

House resumed at 2:00 P. M.

Mr. Speaker in the chair.

Mr. Speaker gave notice to the House that he was about to sign House Resolution No. 2 and House Bill No. 112, and thereupon signed the same.

There being no objections, House reverted to Order of Business No. 6:

## MOTIONS AND RESOLUTIONS

Moved by Beadle, duly seconded and carried, that House Bill No. 219 be withdrawn from Engrossing Committee and placed at the head of list of General Orders for consideration in respect to Section 9 only.

## THIRD READING OF HOUSE BILLS

House Bill No. 435, by Committee on Fish and Game, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Akofer, Anderson, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Caplis, Clarke, Davis, Doran, Duncan, Eaton, Fairgrieve, Flachsenhar, Fletcher, Fox, Gordon, Graybill, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kennedy, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Loble, Masters, Miller, Morris, Moulton, Mulholland, Murphy, McCarty, Nelson, Nelstead, Parkin, Patterson, Peterson, Plank, Reed, Rice, Ruffcorn, Rupert, Ryder, Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Tinsley, Troy, Waite, Walton, Wuerthner, Zeh, Mr. Speaker. Total—69.

Noes: Ainsworth, Cusick, Holton, Lincoln, Merritt, McAfee, Plumer. Total—7.

Absent and not voting: Andrus, Castles, Dellwo, Donaldson, Fitzgarrald, Fitzgerald, Flynn, Green, Hanson, Hardcastle, Kinville, Lemmon, Meagher, Moriarity, Moss, McGrath, Nagle, Peat, Sales, Schoening, Shields, Smith (Lewis and Clark), Walker, White, Wold. Total—25.

House Bill No. 280, by Horticulture Committee, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Beadle, Bergstrom, Besancon, Budas, Burns, Campbell, Caplis, Clarke, Cusick, Davis, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Flachsenhar, Fletcher, Fox, Gordon, Graybill, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kennedy, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Loble, Masters, Merritt, Miller, Morris, Moss, Moulton, Mulholland, Murphy, McAfee, McCarty, McGrath, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Reed, Rice, Ruffcorn, Rupert, Ryder, Shields, Smith (Lewis and Clark), Steeves, Stoddard, Strange, Throssel, Tinsley, Troy, Waite, Walker, Walton, Zeh, Mr. Speaker. Total—77.

Noes: Plumer. Total—1.

Absent and not voting: Andrus, Berryman, Brandt, Castles, Dellwo, Fitzgerald, Flynn, Green, Hanson, Hardcastle, Joffray, Kinville, Lemmon, Meagher, Moriarity, Nagle, Nelson, Sales, Schoening, Smith (Beaverhead), White, Wold, Wuerthner. Total—23.

House Bill No. 282 by Committee on Horticulture, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Clarke, Cusick, Davis, Dellwo, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Flachsenhar, Fletcher, Gordon, Graybill, Hanson, Harris, Hawley, Hedrick, Higham, Holt, Joffray, Johnson (Fergus), Johnson (Valley), Kennedy, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Lincoln, Loble, Masters, Merritt, Miller, Morris, Moss, Mulholland, Murphy, McAfee, McCarty, McGrath, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Reed, Rice, Ruffcorn, Rupert, Sales, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Stoddard, Strange, Tinsley, Troy, Waite, Walton, Zeh, Mr. Speaker. Total—74.

Noes: Keeley. Total—1.

Absent and not voting: Andrus, Caplis, Castles, Donaldson, Fitzgerald, Flynn, Fox, Green, Hardcastle, Hoffman, Holton, Kelly, Kinville, Leavens, Lemmon, Meagher, Moriarity, Moulton, Nagle, Ryder, Steeves, Throssel, Walker, White, Wold, Wuerthner. Total—26.

House Bill No. 376, by Rupert, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Caplis, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Flachsenhar, Fletcher, Gordon, Graybill, Green, Hanson, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kennedy, Larson (Cascade), Larsen (Sheridan), Lincoln, Loble, Masters, Merritt, Morris, Moss, Moulton, Mulholland, Murphy, McAfee, McGrath, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Reed, Rice, Ruffcorn, Rupert, Ryder, Schoening, Shields, Smith (Lewis and Clark), Steeves, Stoddard, Strange, Tinsley, Troy, Waite, Walker, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—78.

Noes: Anderson, Beadle, Larson (Sheridan), Miller, McCarty, Plumer. Total—6.

Absent and not voting: Andrus, Castles, Fitzgarrald, Flynn, Fox, Hardcastle, Holton, Kinville, Leavens, Lemmon, Meagher, Moriarity, Nagle, Sales, Smith (Beaverhead), Throssel, Wold. Total—17.

House Bill No. 384, by Appropriations Committee, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Anderson, Beadle, Bergstrom, Besancon, Brandt, Budas, Burns, Campbell, Caplis, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Flachsenhar, Fletcher, Gordon, Graybill, Green, Hanson, Harris, Hawley, Hedrick, Hoffman, Holt, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kennedy, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Lincoln, Loble, Miller, Morris, Moss, Moulton, McAfee, McCarty, McGrath, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plumer, Reed, Ruffcorn, Rupert, Ryder, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Throssel, Tinsley, Troy, Waite, Walker, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—74.

Noes: None.

Absent and not voting: Akofer, Andrus, Berryman, Castles, Fitzgerald, Flynn, Fox, Hardcastle, Higham, Holton, Kelly, Kinville, Leavens, Lemmon, Masters, Meagher, Merritt, Moriarity, Mulholland, Murphy, Nagle, Plank, Rice, Sales, Schoening, Strange, Wold. Total—27.

House Bill No. 394, by Peat, Donaldson, etc., having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Flachsenhar, Fletcher, Flynn, Graybill, Green, Hanson, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kennedy, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Lincoln, Loble, Masters, Merritt, Miller, Moss, Moulton, Murphy, McCarty, McGrath, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Reed, Ruffcorn, Rupert, Ryder, Schoening, Shields, Smith (Beaverhead), Steeves, Stoddard, Throssel, Tinsley, Troy, Waite, Walker, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—79.

Noes: None.

Absent and not voting: Andrus, Caplis, Castles, Fitzgerald, Fox, Gordon, Hardcastle, Kelly, Kinville, Leavens, Lemmon, Meagher, Moriarity, Morris, Mulholland, McAfee, Nagle, Rice, Sales, Smith (Lewis and Clark), Strange, Wold. Total—22.



House Bill No. 236, by Rice, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Caplis, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Flachsenhar, Fletcher, Flynn, Gordon, Graybill, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Joffray, Johnson (Fergus), Johnson (Valley), Kennedy, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Lincoln, Loble, Masters, Merritt, Miller, Morris, Moss, Moulton, Mulholland, Murphy, McCarty, McGrath, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Reed, Rice, Rupert, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Strange, Throssel, Tinsley, Walker, Walton, Wuerthner, Zeh, Mr. Speaker. Total—75.

Noes: Fitzgarrald, Green, Holton, Keeley, Ryder, Stoddard, Waite, White. Total—8.

Absent and not voting: Andrus, Castles, Fitzgerald, Fox, Hanson, Hardcastle, Kelly, Kinville, Leavens, Lemmon, Meagher, Moriarity, McAfee, Nagle, Ruffcorn, Sales, Troy, Wold. Total—18.

House Bill No. 190, by Lincoln and Patterson, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Beadle, Bergstrom, Besancon, Brandt, Budas, Burns, Campbell, Caplis, Cusick, Davis, Dellwo, Donaldson, Doran, Fairgrieve, Fitzgarrald, Flachsenhar, Fletcher, Gordon, Graybill, Green, Hanson, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Larsen (Sheridan), Larson (Sheridan), Lincoln, Loble, Masters, Merritt, Miller, Morris, Moss, Moulton, Mulholland, Murphy, McCarty, McGrath, Nelson, Nelstead, Parkin, Patterson, Peterson, Plank, Plumer, Reed, Rice, Ruffcorn, Rupert, Ryder, Schoening, Shields, Smith (Lewis and Clark), Steeves, Stoddard, Strange, Troy, Waite, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—75.

Noes: Berryman, Clarke, Eaton, Flynn, Kennedy, Larson (Cascade), Smith (Beaverhead), Throssel, Tinsley. Total—9.

Absent and not voting: Andrus, Castles, Duncan, Fitzgerald, Fox, Hardcastle, Kinville, Leavens, Lemmon, Meagher, Moriarity, McAfee, Nagle, Peat, Sales, Walker, Wold. Total—17.

House Bill No. 395, by Plumer, having been read three several times title and history agreed to, was passed by the following vote:

Ayes: Akofer, Beadle, Bergstrom, Besancon, Brandt, Budas, Burns, Campbell, Caplis, Clarke, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Flachsenhar, Flynn, Gordon, Graybill, Hanson, Hawley, Hedrick, Higham, Holt, Holton, Joffray, Keeley, Kennedy, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Loble, Masters, Merritt, Miller, Moss, Moulton, Mulholland, Murphy, McAfee, McCarty, McGrath, Nelson, Nelstead, Parkin, Peat, Peterson, Plank, Rice, Ruffcorn, Rupert, Ryder, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Tinsley, Troy, Waite, Walker, Walton, White, Mr. Speaker. Total—72.

Noes: Ainsworth, Anderson, Cusick, Green, Johnson (Valley), Plumer. Total—6.

Absent and not voting: Andrus, Berryman, Castles, Fitzgerald, Fletcher, Fox, Hardcastle, Harris, Hoffman, Johnson (Fergus), Kelly, Kinville, Lemmon, Meagher, Moriarity, Morris, Nagle, Patterson, Reed, Sales, Wold, Wuerthner, Zeh. Total—23.

House Bill No. 403, by Committee on State Lands, having been read three several times and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Beadle, Bergstrom, Besancon, Brandt, Budas, Burns, Campbell, Clarke, Cusick, Davis, Dellwo, Donaldson, Duncan, Fairgrieve, Fitzgarrald, Flachsenhar, Fletcher, Flynn, Gordon,

Graybill, Green, Hanson, Harris, Hawley, Hedrick, Higham, Holt, Holton, Joffray, Johnson (Valley), Keeley, Kennedy, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Lincoln, Loble, Masters, Merritt, Miller, Morris, Moss, Moulton, Mulholland, Murphy, McAfee, McCarty, McGrath, Nelson, Nelstead, Parkin, Peterson, Plank, Plumer, Reed, Rice, Ruffcorn, Rupert, Ryder, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Tinsley, Troy, Waite, Walker, Walton, White, Zeh, Mr. Speaker. Total—78.

Noes: None.

Absent and not voting: Andrus, Berryman, Caplis, Castles, Doran, Eaton, Fitzgerald, Fox, Hardcastle, Hoffman, Johnson (Fergus), Kelly, Kinville, Leavens, Lemmon, Meagher, Moriarity, Nagle, Patterson, Peat, Sales, Wold, Wuerthner. Total—23.

House Joint Resolution No. 9, by Moulton, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Bergstrom, Besancon, Brandt, Burns, Campbell, Clarke, Cusick, Davis, Dellwo, Donaldson, Duncan, Eaton, Fitzgarrald, Flachsenhar, Fletcher, Flynn, Fox, Gordon, Graybill, Green, Hanson, Harris, Hedrick, Higham, Hoffman, Holt, Holton, Joffray, Johnson (Fergus), Keeley, Kennedy, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Lincoln, Loble, Masters, Merritt, Morris, Moss, Moulton, Mulholland, Murphy, McAfee, Nelson, Nelstead, Parkin, Peat, Peterson, Plank, Reed, Rice, Ruffcorn, Rupert, Schoening, Ryder, Smith (Lewis and Clark), Smith (Beaverhead), Throssel, Waite, Walker, Walton, White, Zeh, Mr. Speaker. Total—67.

Noes: Anderson, Beadle, Caplis, Miller, McCarty, McGrath, Plumer. Total—7.

Absent and not voting: Andrus, Berryman, Budas, Castles, Doran, Fairgrieve, Fitzgerald, Hardcastle, Hawley, Johnson (Valley), Kelly, Kinville, Leavens, Lemmon, Meagher, Moriarity, Nagle, Patterson, Sales, Shields, Steeves, Stoddard, Strange, Troy, Wold, Wuerthner. Total—26.

Present and not voting: Tinsley. Total—1.

At this point the following asked to be excused: Tinsley, from 5:30 to 7:30; Lincoln and Cusick, from 5:00 to 7:30; Gordon, Leavens, Wold and Hawley, after 6:00; Besancon, from 4:00 to 7:30; Wuerthner, from 2:30 to 7:30; Troy, from 5:30 until Monday; Campbell, from 5:00 until tomorrow.

There being no objections, House reverted to Order of Business No. 6:

### MOTIONS AND RESOLUTIONS

Moved by Wold, duly seconded and carried, that House Bills No. 265, No. 380, No. 398, No. 95, No. 174, No. 224, No. 226, No. 247, and No. 200, which are appropriation bills, be not considered on General Orders until after the 50th day.

Moved by Wold, duly seconded and carried, that Senate amendments to House Bills be not considered on General Orders until after the 50th day.

Moved by Ruffcorn, duly seconded and carried, that House Bill No. 444 be moved to top of list on General Orders.

Moved by Ruffcorn, duly seconded and carried, that consideration of House Bill No. 414 be passed on General Orders for time being.

### CONSIDERATION OF GENERAL ORDERS

Moved by Ruffcorn, duly seconded and carried, that House now resolve itself into Committee of the Whole for consideration of General Orders, and that debate be limited to five minutes for authors or proponents of bills, and to three minutes for others, with no trading of time.

Mr. Nelson in the chair.

The committee arose.

Mr. Speaker in the chair.

The Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration bills on General Orders, respectfully report as follows:

That House Bill No. 444 be amended as follows:

The title: By adding the words: "and creating a common school equalization fund."

Section 9. By adding in line 1 after the word and figure "Section 9" the words "There is hereby created a fund with the State Treasurer to be known as State Common School Equalization fund."

And that, as amended, House Bill No. 444 do pass.

That House Bill No. 219 be amended as follows:

Section 9. By striking out in line 3 the word "and" and inserting in lieu thereof the word "or;" and by striking the amendment "or osteopath" inserted before the word "authorized" in line 4 of Section 9.

And that, as amended, House Bill No. 219 do pass.

That House Bill No. 386 do pass.

That House Bill No. 229 be amended as follows:

Section 2. By striking out the figures "25.00" and inserting in lieu thereof "5.00."

Section 8. By inserting at the end of line 6 the following words "nor shall the provisions of this Act apply to duly constituted 'City Markets' operated by authority of any city or town."

And that, as amended, House Bill No. 229 do pass.

That House Bill No. 230 do pass.

That House Bill No. 242 do pass.

That House Bill No. 99 be amended as follows:

Section 1. By striking out in line 11, the word "taxpayers" and inserting in lieu thereof the words "taxpaying freeholders;" also in line 13 after the word "district" by striking out the comma and quotation marks and inserting in lieu thereof the words: "provided, that in all school districts of the third class such question may be submitted to the legal voters of said district, who are taxpayers therein."

Section 1. By adding at the end of said Section: "provided that the said voters shall in no case be authorized to vote a tax for above purposes in excess of twenty-five mills."

Section 2. By striking out in line 9, the word "taxpayer" and inserting in lieu thereof the words: "taxpaying freeholder;" also in line 11, after the word "God" inserting in lieu thereof the words: "In all districts of the third class, in administering said oath or affirmation, the judges must substitute the word "taxpayer" for the words "taxpaying freeholder."

And that, as amended, House Bill No. 99 do pass.

That House Bill No. 443 be amended as follows:

Section 1. By striking out in line 3 the words "fan weed."

And that, as amended, House Bill No. 443 do pass.

That House Bill No. 4 do pass.

That Substitute House Bill No. 101 be amended as follows:

Section 1. By striking out in line 10 the word "fifty" and inserting in lieu thereof the word "sixty."

And that, as amended, Substitute House Bill No. 101 do pass.

That Substitute House Bill No. 117 be amended as follows:

Section 5. By striking out in line 2 the words "pledges, Mortgages."

And that, as amended, House Bill No. 117 do pass.

That Substitute House Bill No. 295 do pass.



That House Bill No. 234 do pass.

That House Bill No. 299 do pass.

That House Bill No. 309 be passed for time being.

NELSON, Chairman.

On motion of Nelson, report adopted.

The Committee on Printing reported as follows:

Mr. Speaker: We, your Committee on Printing, beg leave to report the following bills correctly printed:

House Bills No. 320, No. 372, No. 345, No. 418, No. 318, No. 348, No. 423.

FRED W. ZEH, Chairman.

The committee appointed to arrange a program for Washington's birthday, reported as follows:

### WASHINGTON'S BIRTHDAY PROGRAM

#### HOUSE OF REPRESENTATIVES

Sunday Afternoon, February 22nd, 2:30 P. M.

Invocation—Rev. H. W. Woods.

"America"—By audience.

Male quartette, selection, "The Boys of the Old Brigade" (Parks)—Intermountain College Glee Club, Fred Kelser, director.

Washington's Farewell Address—Representative Henry C. Donaldson.

Solo—Representative Grant Reed.

"The Lord Is My Light" (Alletson).

Address—E. J. Klemme, President Intermountain College.

Solo—Representative Everett Rice.

"Star Spangled Banner"—By audience. Representative J. J. Wuerthner, accompanist.

Committee.

Mr. Speaker announced that Woods of Petroleum County would take his chair tomorrow and that he would be a member on each of the following committees:

Corporations Other Than Municipal.

Development and Publicity.

New Counties and Divisions.

Petroleum, Oil and Gas Affairs.

Privileges and Elections.

State Boards and Officers.

The Committee on Enrolling reported as follows:

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled:

House Bills No. 208, No. 191, No. 119, No. 211, No. 6.

McAFEE, Chairman.

Moved by Troy, duly seconded and carried, that House recess until 7:30 P. M.

### EVENING SESSION

House resumed at 7:30 P. M.

Mr. Speaker in the chair.

## REPORTS OF STANDING COMMITTEES

The following reports were received from Standing Committees:

Mr. Speaker: We, your Committee on Improvements and Manufacturing, having had under consideration House Bill No. 370, introduced by Johnson of Valley and Davis, respectfully report as follows:

That House Bill No. 370 do not pass.

DUNCAN, Chairman.

On motion of Johnson of Valley, report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration Senate Bill No. 150, introduced by Linn, respectfully report as follows:

That Senate Bill No. 150 be concurred in.

DONALDSON, Chairman.

On motion of Donaldson, report adopted.

Mr. Speaker: We, your Committee on State Boards and Officers, having had under consideration Senate Bill No. 124, introduced by Adams, Oliver, Gilboe, respectfully report as follows:

That Senate Bill No. 124 be concurred in.

SCHOENING, Chairman.

On motion of Schoening, report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration Senate Bill No. 95, by Committee on Education, respectfully report as follows:

That Senate Bill No. 95 be concurred in.

O. M. WOLD, Chairman.

On motion of Smith of Beaverhead, report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration Senate Bill No. 60, by Committee on Finance and Claims, respectfully report as follows:

That Senate Bill No. 60 be concurred in.

O. M. WOLD, Chairman.

On motion of Smith of Beaverhead, report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 422, by Walker, et al., respectfully report as follows:

That House Bill No. 422 do not pass.

O. M. WOLD, Chairman.

On motion of Smith of Beaverhead, report adopted.

## CONSIDERATION OF GENERAL ORDERS

Moved by Ruffcorn, duly seconded and carried, that House now resolve itself into Committee of the Whole for Consideration of General Orders, and that debate be limited to five minutes for authors or proponents of bills and to three minutes for others, with no trading of time.

Mr. Joffray in the chair.

The committee arose.

Mr. Speaker in the chair.

The Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration bills on General Orders, respectfully report as follows:

House Bill No. 321 that the enacting clause be stricken out.

That House Bill No. 346 do pass.

That House Bill No. 357 be amended as follows:

The title: By inserting in line 1 of the title after the figures "5194" the following: "as amended by Chapter 21 of the Session Laws of the Eighteenth Legislative Assembly."

Section 1. By adding in line 1 after "1921" the following: "as amended by Chapter 21 of the Session laws of the Eighteenth Legislative Assembly;" by adding in line 3 before the word "The" the following: "Section 5194. Amount of Tax for Municipal Purposes—Distribution of Funds—Levy for Park Purposes;" by adding in line 7 after the word "on" the following "the per centum of;" also the same amendment to be made in line 11 after the second word "on."

Section 2. By adding in line 3 the following: "Section 5201. Taxes in cities which have exceeded the Constitutional limit of indebtedness;" by adding in line 13 after the word "the" the following "per centum of the."

And that, as amended, House Bill No. 357 do pass.

That Substitute House Bill No. 359 do pass.

That House Bill No. 366 do pass.

That Substitute House Bill No. 409 do pass.

That House Bill No. 426 do pass.

That House Bill No. 431 do pass.

That House Bill No. 432 do pass.

That House Bill No. 436 be passed for time being.

That House Bill No. 385 be passed for time being.

That House Bill No. 398 be passed for time being.

That House Bill No. 414 be passed for time being.

That House Bill No. 309 be amended as follows:

Section 1. By striking out in line 14 the word "five" and inserting in lieu thereof the word "two."

Section 1. By striking out all that portion after the word "retained" in line 18, and inserting in lieu thereof the words: "The Court shall forthwith hear the evidence to determine the grounds for the exemption set forth in said affidavit."

And that, as amended, House Bill No. 309 do pass.

That House Bill No. 380 be passed for time being.

That House Bill No. 265 be passed for time being.

House Bill No. 95 that Senate amendments be passed for time being.

House Bill No. 174 that Senate amendments be concurred in.

House Bill No. 224 that Senate amendments be concurred in.

House Bill No. 226 that Senate amendments be concurred in.

House Bill No. 220 that Senate amendments be passed for time being.

House Bill No. 247 that Senate amendments be concurred in.

JOFFRAY, Chairman.

On motion of Joffray, report adopted.

The Committee on Engrossing reported as follows:

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed:

House Joint Resolution No. 10, House Bills No. 396, No. 441, No. 439, No. 437, No. 313, No. 244; House Joint Resolution No. 8; House Bills No. 381, No. 356, No. 379, No. 392, No. 323, No. 388, No. 406, No. 33.

BERRYMAN, Chairman.

### THIRD READING OF HOUSE BILLS

House Joint Resolution No. 8, introduced by McAfee, having been read three several times, title and history agreed to, was passed by the following vote:



Ayes: Ainsworth, Akofer, Anderson, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Flachsenhar, Fox, Graybill, Green, Hanson, Harris, Hedrick, Higham, Holt, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Kelly, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Lincoln, Loble, Masters, Merritt, Morris, Moss, Moulton, Murphy, McAfee, McGrath, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Rice, Ruffcorn, Rupert, Ryder, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Throssel, Tinsley, Waite, Walker, Walton, Wuerthner, Zeh, Mr. Speaker. Total—71.

Noes: Fletcher, White. Total—2.

Absent and not voting: Andrus, Campbell, Caplis, Castles, Fitzgerald, Flynn, Gordon, Hardcastle, Hawley, Hoffman, Keeley, Kennedy, Leavens, Lemmon, Meagher, Miller, Moriarity, Mulholland, McCarty, Nagle, Reed, Sales, Shields, Steeves, Stoddard, Strange, Troy, Wold. Total—28.

House Joint Resolution No. 10, introduced by Fitzgarrald, McAfee, Strange, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Beadle, Bergstrom, Besancon, Brandt, Budas, Burns, Clarke, Cusick, Dellwo, Donaldson, Duncan, Eaton, Fairgrieve, Fitzgarrald, Flachsenhar, Fletcher, Flynn, Fox, Graybill, Green, Harris, Hedrick, Higham, Holt, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Kelly, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Lincoln, Loble, Masters, Merritt, Miller, Morris, Moss, Moulton, Murphy, McAfee, McCarty, McGrath, Nelson, Nelstead, Patterson, Peat, Peterson, Plank, Reed, Rice, Ruffcorn, Rupert, Ryder, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Strange, Throssel, Tinsley, Waite, Walker, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—72.

Noes: Plumer. Total—1.

Absent and not voting: Andrus, Berryman, Campbell, Caplis, Castles, Davis, Doran, Fitzgerald, Gordon, Hanson, Hardcastle, Hawley, Hoffman, Keeley, Kennedy, Leavens, Lemmon, Meagher, Moriarity, Mulholland, Nagle, Sales, Shields, Steeves, Stoddard, Troy, Wold. Total—27.

Present and not voting: Parkin. Total—1.

House Bill No. 396, introduced by Committee on Live Stock and Public Ranges, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Beadle, Bergstrom, Besancon, Brandt, Burns, Clarke, Cusick, Davis, Dellwo, Donaldson, Duncan, Eaton, Fairgrieve, Fitzgarrald, Flachsenhar, Fletcher, Flynn, Graybill, Harris, Higham, Hoffman, Holt, Holton, Johnson (Fergus), Johnson (Valley), Kennedy, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Lincoln, Loble, Masters, Merritt, Morris, Moss, Moulton, Murphy, McAfee, McCarty, McGrath, Nelson, Nelstead, Parkin, Peat, Plank, Plumer, Reed, Rice, Rupert, Ryder, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Strange, Tinsley, Waite, Walker, White, Wuerthner, Zeh, Mr. Speaker. Total—64.

Noes: Berryman, Budas, Kinville, Miller, Patterson, Peterson, Stoddard, Throssel, Walton. Total—9.

Absent and not voting: Andrus, Campbell, Caplis, Castles, Doran, Fitzgerald, Fox, Gordon, Green, Hanson, Hardcastle, Hawley, Hedrick, Joffray, Keeley, Kelly, Leavens, Lemmon, Meagher, Moriarity, Mulholland, Nagle, Ruffcorn, Sales, Steeves, Troy, Wold. Total—28.

House Bill No. 441, introduced by Davis, Hanson and Besancon, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Beadle, Bergstrom, Berryman, Besancon, Brandt, Burns, Clarke, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fitzgarrald, Fitzgerald, Flachsenhar, Flynn, Graybill, Green, Han

son, Harris, Higham, Holt, Holton, Joffray, Johnson (Valley), Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Loble, Masters, Merritt, Morris, Moss, Murphy, McCarty, McGrath, Nelson, Nelstead, Peterson, Plank, Reed, Ruffcorn, Ryder, Schoening, Shields, Smith (Beaverhead), Stoddard, Throssel, Tinsley, Waite, White, Wuerthner, Zeh, Mr. Speaker. Total—58.

Noes: Budas, Cusick, Hoffman, Lincoln, Miller, Moulton, McAfee, Parkin, Patterson, Peat, Plumer, Rice, Rupert, Smith (Lewis and Clark), Strange, Walker, Walton. Total—17.

Absent and not voting: Andrus, Campbell, Caplis, Castles, Fairgrieve, Fletcher, Fox, Gordon, Hardcastle, Hawley, Hedrick, Johnson (Fergus), Keeley, Kelly, Kennedy, Leavens, Lemmon, Meagher, Moriarity, Mulholland, Nagle, Sales, Steeves, Troy, Wold. Total—26.

House Bill No. 439, introduced by Davis, Hanson and Besancon, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Beadle, Berryman, Besancon, Brandt, Burns, Clarke, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Flynn, Graybill, Green, Harris, Higham, Holt, Holton, Joffray, Johnson (Fergus), Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Masters, Merritt, Miller, Morris, Moss, McCarty, McGrath, Nelson, Nelstead, Parkin, Patterson, Peterson, Plank, Reed, Rice, Rupert, Ryder, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Stoddard, Strange, Throssel, Waite, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—64.

Noes: Budas, Cusick, Hoffman, Moulton, McAfee, Plumer, Tinsley. Total—7.

Absent and not voting: Andrus, Bergstrom, Campbell, Caplis, Castles, Fox, Gordon, Hanson, Hardcastle, Hawley, Hedrick, Johnson (Valley), Keeley, Kelly, Leavens, Lemmon, Lincoln, Loble, Meagher, Moriarity, Mulholland, Murphy, Nagle, Peat, Ruffcorn, Sales, Steeves, Troy, Walker, Wold. Total—30.

At the request of Ruffcorn, there being no objections, House reverted to Order of Business No. 10:

### CONSIDERATION OF GENERAL ORDERS

Moved by Ruffcorn, duly seconded and carried, that House now resolve itself into Committee of the Whole for Consideration of General Orders, and that rules of previous sitting prevail.

Mr. Joffray in the chair.

The committee arose.

Mr. Speaker in the chair.

The Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration bills on General Orders, respectfully report as follows:

House Bill No. 95 that Senate amendments be concurred in.

JOFFRAY, Chairman.

On motion of Joffray, report adopted.

At the request of Ruffcorn, there being no objections, House reverted to Order of Business No. 9:

### THIRD READING OF HOUSE BILLS

House Bill No. 437, introduced by Committee on State Lands, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainswoth, Akofer, Anderson, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Castles, Clarke, Cusick, Davis, Dellwo,



Duncan, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Flynn, Graybill, Green, Hanson, Harris, Higham, Holt, Holton, Johnson (Fergus), Johnson (Valley), Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Loble, Masters, Merritt, Miller, Morris, Moss, Moulton, Murphy, McAfee, McCarty, McGrath, Nelson, Nelstead, Parkin, Patterson, Peterson, Plank, Plumer, Reed, Rice, Rupert, Ryder, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Strange, Throssel, Tinsley, Waite, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—71.

Noes: None.

Absent and not voting: Andrus, Campbell, Caplis, Donaldson, Doran, Fox, Gordon, Hardcastle, Hawley, Hedrick, Hoffman, Joffray, Keeley, Kelly, Larson (Sheridan), Leavens, Lemmon, Lincoln, Meagher, Moriarity, Mulholland, Nagle, Peat, Ruffcorn, Sales, Steeves, Stoddard, Troy, Walker, Wold. Total—30.

Senate amendments to House Bill No. 95 were concurred in by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Caplis, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Flynn, Graybill, Green, Hanson, Harris, Hoffman, Holt, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Kelly, Kinville, Larson (Cascade), Larsen (Sheridan), Lincoln, Loble, Masters, Merritt, Miller, Morris, Moss, Moulton, Murphy, McAfee, McCarty, McGrath, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Reed, Rice, Ruffcorn, Rupert, Ryder, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Stoddard, Strange, Throssel, Tinsley, Waite, White, Wuerthner, Zeh, Mr. Speaker. Total—77.

Noes: None.

Absent and not voting: Andrus, Campbell, Castles, Fox, Gordon, Hardcastle, Hawley, Hedrick, Higham, Keeley, Kennedy, Larson (Sheridan), Leavens, Lemmon, Meagher, Moriarity, Mulholland, Nagle, Sales, Steeves, Troy, Walker, Walton, Wold. Total—24.

House Bill No. 313, introduced by Fairgrieve, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Berryman, Besancon, Brandt, Budas, Burns, Clarke, Cusick, Davis, Donaldson, Eaton, Fairgrieve, Flachsenhar, Fletcher, Flynn, Graybill, Green, Hanson, Harris, Higham, Holt, Holton, Joffray, Johnson (Valley), Larson (Cascade), Larsen (Sheridan), Lincoln, Masters, Merritt, Moss, McAfee, McCarty, Nelstead, Parkin, Patterson, Peterson, Plank, Reed, Rice, Ruffcorn, Ryder, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Throssel, Tinsley, White, Mr. Speaker. Total—49.

Noes: Akofer, Anderson, Beadle, Bergstrom, Caplis, Dellwo, Doran, Duncan, Fitzgarrald, Fitzgerald, Hoffman, Johnson (Fergus), Kelly, Kinville, Loble, Miller, Morris, Moulton, Murphy, McGrath, Nelson, Plumer, Rupert, Stoddard, Strange, Waite, Wuerthner, Zeh. Total—28.

Absent and not voting: Andrus, Campbell, Castles, Fox, Gordon, Hardcastle, Hawley, Hedrick, Keeley, Kennedy, Larson (Sheridan), Leavens, Lemmon, Meagher, Moriarity, Mulholland, Nagle, Peat, Sales, Steeves, Troy, Walker, Walton, Wold. Total—24.

House Bill No. 244, introduced by Tinsley, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Caplis, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Flynn, Graybill, Green, Hanson, Harris, Higham, Hoffman, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Kelly, Kinville, Larson (Cascade), Larsen (Sheridan), Lincoln, Loble, Masters, Merritt, Miller, Morris, Moss, Moulton, McAfee, McCarty, McGrath, Nelson, Nelstead, Parkin, Patterson, Peterson, Plank, Plumer, Reed, Rice, Ruffcorn,



Rupert, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Stoddard, Tinsley, Waite, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—73.

Noes: None.

Absent and not voting: Andrus, Campbell, Castles, Fox, Gordon, Hardcastle, Hawley, Hedrick, Holt, Keeley, Kennedy, Larson (Sheridan), Leavens, Lemmon, Meagher, Moriarity, Mulholland, Murphy, Nagle, Peat, Ryder, Sales, Steeves, Strange, Throssel, Troy, Walker, Wold. Total—28.

House Bill No. 381, introduced by McCarty, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Caplis, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Flachsenhar, Fletcher, Flynn, Gordon, Graybill, Green, Hanson, Harris, Higham, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Kelly, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Lincoln, Loble, Masters, Miller, Morris, Moss, Moulton, Murphy, McAfee, McCarty, McGrath, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Reed, Rice, Ruffcorn, Rupert, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Stoddard, Strange, Throssel, Tinsley, Waite, Walker, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—76.

Noes: Fitzgerald, Hoffman. Total—2.

Absent and not voting: Andrus, Campbell, Castles, Fox, Hardcastle, Hawley, Hedrick, Holt, Keeley, Larson (Sheridan), Leavens, Lemmon, Meagher, Merritt, Moriarity, Mulholland, Nagle, Ryder, Sales, Shields, Steeves, Troy, Wold. Total—23.

House Bill No. 356, by Fairgrieve et al., having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Flynn, Gordon, Graybill, Green, Hanson, Harris, Higham, Hoffman, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Kennedy, Kinville, Larson (Cascade), Lincoln, Loble, Miller, Morris, Moss, Moulton, Murphy, McAfee, McCarty, McGrath, Nelson, Nelstead, Parkin, Patterson, Peterson, Plank, Plumer, Reed, Rice, Rupert, Ryder, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Stoddard, Strange, Tinsley, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—70.

Noes: None.

Absent and not voting: Andrus, Campbell, Caplis, Castles, Fox, Hardcastle, Hawley, Hedrick, Holt, Keeley, Kelly, Larsen (Sheridan), Larson (Sheridan), Leavens, Lemmon, Masters, Meagher, Merritt, Moriarity, Mulholland, Nagle, Peat, Ruffcorn, Sales, Shields, Steeves, Throssel, Troy, Waite, Walker, Wold. Total—31.

House Bill No. 379, by Donaldson, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Clarke, Davis, Dellwo, Donaldson, Duncan, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Flynn, Gordon, Graybill, Hanson, Harris, Higham, Hoffman, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Kelly, Kennedy, Larsen (Sheridan), Lincoln, Loble, Masters, Miller, Morris, Moulton, McCarty, Nelson, Nelstead, Parkin, Patterson, Peterson, Plank, Plumer, Reed, Rice, Ruffcorn, Rupert, Ryder, Schoening, Smith (Lewis and Clark), Stoddard, Throssel, Tinsley, Waite, Walker, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—65.

Noes: None.

Absent and not voting: Andrus, Campbell, Caplis, Castles, Cusick, Doran, Fox, Green, Hardcastle, Hawley, Hedrick, Holt, Keeley, Kinville,

Larson (Cascade), Larson (Sheridan), Leavens, Lemmon, Meagher, Merritt, Moriarity, Moss, Mulholland, Murphy, McAfee, McGrath, Nagle, Peat, Sales, Shields, Smith (Beaverhead), Steeves, Strangé, Troy, Wold. Total—36.

House Bill No. 392, by Harris, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Clarke, Cusick, Dellwo, Donaldson, Duncan, Eaton, Fitzgarrald, Flachsenhar, Fletcher, Flynn, Gordon, Graybill, Green, Hanson, Harris, Higham, Hoffman, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Kelly, Kennedy, Kinville, Larsen (Sheridan), Lincoln, Loble, Masters, Merritt, Miller, Morris, Moss, Moulton, Murphy, McAfee, McCarty, McGrath, Nelson, Nelstead, Parkin, Patterson, Peat, Plank, Plumer, Reed, Rice, Ruffcorn, Rupert, Ryder, Schoening, Shields, Smith (Lewis and Clarke), Smith (Beaverhead), Stoddard, Strange, Throssel, Tinsley, Waite, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—72.

Noes: None.

Absent and not voting: Andrus, Campbell, Caplis, Castles, Davis, Doran, Fairgrieve, Fitzgerald, Fox, Hardcastle, Hawley, Hedrick, Holt, Keeley, Larson (Cascade), Larson (Sheridan), Leavens, Lemmon, Meagher, Moriarity, Mulholland, Nagle, Peterson, Sales, Steeves, Troy, Walker, Wold. Total—29.

House Bill No. 323, by Graybill, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Beadle, Bergstrom, Besancon, Brandt, Budas, Burns, Clarke, Cusick, Davis, Dellwo, Doran, Duncan, Eaton, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Flynn, Gordon, Graybill, Green, Hanson, Harris, Higham, Hoffman, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Kelly, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Lincoln, Loble, Masters, Miller, Moulton, Murphy, McAfee, McCarty, McGrath, Nelson, Nelstead, Parkin, Patterson, Peterson, Plank, Rice, Ruffcorn, Rupert, Ryder, Schoening, Shields, Smith (Lewis and Clark), Stoddard, Strange, Throssel, Tinsley, Waite, Walton, White, Wuerthner, Mr. Speaker. Total—68.

Noes: Plumer. Total—1.

Absent and not voting: Andrus, Berryman, Campbell, Caplis, Castles, Donaldson, Fairgrieve, Fox, Hardcastle, Hawley, Hedrick, Holt, Keeley, Larson (Sheridan), Leavens, Lemmon, Meagher, Merritt, Moriarity, Morris, Moss, Mulholland, Nagle, Peat, Reed, Sales, Smith (Beaverhead), Steeves, Troy, Walker, Wold, Zeh. Total—32.

House Bill No. 388, by Fox, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Beadle, Bergstrom, Besancon, Brandt, Budas, Burns, Clarke, Cusick, Davis, Dellwo, Duncan, Eaton, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Flynn, Gordon, Graybill, Green, Harris, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Kelly, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Lincoln, Masters, Miller, Morris, Moss, Moulton, Murphy, McAfee, McCarty, Nelson, Nelstead, Parkin, Patterson, Peterson, Plumer, Rice, Ruffcorn, Rupert, Ryder, Smith (Lewis and Clark), Stoddard, Strange, Throssel, Tinsley, Waite, Walker, Walton, White, Wuerthner, Mr. Speaker. Total—63.

Noes: None.

Absent and not voting: Andrus, Berryman, Campbell, Caplis, Castles, Donaldson, Doran, Fairgrieve, Fox, Hanson, Hardcastle, Hawley, Hedrick, Higham, Hoffman, Holt, Keeley, Larson (Sheridan), Leavens, Lemmon, Loble, Meagher, Merritt, Moriarity, Mulholland, McGrath, Nagle, Peat, Plank, Reed, Sales, Schoening, Shields, Smith (Beaverhead), Steeves, Troy, Wold, Zeh. Total—38.



House Bill No. 406, by Committee on Revenue and Taxation, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Anderson, Beadle, Besancon, Brandt, Budas, Clarke, Cusick, Dellwo, Duncan, Eaton, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Flynn, Gordon, Graybill, Green, Hanson, Harris, Higham, Davis, Hoffman, Holton, Joffray, Johnson (Fergus), Kelly, Kennedy, Larson (Cascade), Larsen (Sheridan), Lincoln, Masters, Miller, Morris, Moss, Moulton, Murphy, McAfee, McCarty, McGrath, Nelson, Nelstead, Parkin, Patterson, Peterson, Plank, Plumer, Rice, Ruffcorn, Rupert, Ryder, Schoening, Smith (Lewis and Clark), Strange, Throssel, Waite, Walker, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—63.

Noes: None.

Absent and not voting: Akofer, Andrus, Bergstrom, Berryman, Burns, Campbell, Caplis, Castles, Donaldson, Doran, Fairgrieve, Fox, Hardcastle, Hawley, Hedrick, Holt, Johnson (Valley), Keeley, Kinville, Larson (Sheridan), Leavens, Lemmon, Loble, Meagher, Merritt, Moriarity, Mulholland, Nagle, Peat, Reed, Sales, Shields, Smith (Beaverhead), Steeves, Stoddard, Tinsley, Troy, Wold. Total—38.

House Bill No. 33, by Besancon, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Beadle, Besancon, Brandt, Budas, Burns, Clarke, Cusick, Davis, Dellwo, Duncan, Eaton, Fairgrieve, Fitzgarrald, Flachsenhar, Fletcher, Flynn, Gordon, Green, Hanson, Harris, Hoffman, Holton, Joffray, Kelly, Kennedy, Larson (Cascade), Larsen (Sheridan), Lincoln, Loble, Masters, Miller, Morris, Moss, Moulton, McAfee, McCarty, McGrath, Nelson, Nelstead, Parkin, Patterson, Peterson, Plank, Plumer, Rice, Ruffcorn, Rupert, Ryder, Schoening, Smith (Lewis and Clark), Stoddard, Strange, Throssel, Tinsley, Waite, Walker, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—64.

Noes: None.

Absent and not voting: Andrus, Bergstrom, Berryman, Campbell, Caplis, Castles, Donaldson, Doran, Fitzgerald, Fox, Graybill, Hardcastle, Hawley, Hedrick, Higham, Holt, Johnson (Fergus), Johnson (Valley), Keeley, Kinville, Larson (Sheridan), Leavens, Lemmon, Meagher, Merritt, Moriarity, Mulholland, Murphy, Nagle, Peat, Reed, Sales, Shields, Smith (Beaverhead), Steeves, Troy, Wold. Total—37.

Committee on Engrossing reported as follows:

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed:

House Bills 330, 331, 141, 67 and 219.

BERRYMAN, Chairman.

House Bill No. 330, by Committee on Highways, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Bergstrom, Berryman, Besancon, Clarke, Davis, Dellwo, Donaldson, Duncan, Eaton, Fairgrieve, Flachsenhar, Fletcher, Graybill, Green, Hanson, Harris, Johnson (Fergus), Johnson (Valley), Kennedy, Larson (Cascade), Masters, Miller, Moss, Moulton, Parkin, Peat, Peterson, Plank, Reed, Rice, Ruffcorn, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Throssel, Walker, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—43.

Noes: Akofer, Anderson, Beadle, Brandt, Budas, Burns, Cusick, Doran, Fitzgarrald, Fitzgerald, Gordon, Higham, Hoffman, Holton, Joffray, Kelly, Larsen (Sheridan), Lincoln, Loble, Morris, Murphy, McAfee, McCarty, McGrath, Nelson, Nelstead, Patterson, Plumer, Rupert, Ryder, Stoddard, Strange, Tinsley, Waite. Total—34.

Absent and not voting: Andrus, Campbell, Caplis, Castles, Flynn, Fox, Hardcastle, Hawley, Hedrick, Holt, Keeley, Kinville, Larson (Sheridan),



Leavens, Lemmon, Meagher, Merritt, Moriarity, Mulholland, Nagle, Sales, Steeves, Troy, Wold. Total—24.

House Bill No. 331, by Committee on Highways, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Bergstrom, Berryman, Besancon, Brandt, Clarke, Davis, Dellwo, Donaldson, Duncan, Eaton, Fairgrieve, Flachsenhar, Fletcher, Gordon, Graybill, Green, Hanson, Harris, Hawley, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Kennedy, Larson (Cascade), Larsen (Sheridan), Loble, Masters, Miller, Moss, Moulton, McCarty, Nelson, Nelstead, Parkin, Peat, Peterson, Plank, Plumer, Reed, Rice, Ruffcorn, Ryder, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Throssel, Tinsley, Waite, Walker, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—58.

Noes: Anderson, Beadle, Budas, Burns, Cusick, Doran, Fitzgarrald, Fitzgerald, Higham, Hoffman, Kelly, Lincoln, Morris, Murphy, McAfee, McGrath, Patterson, Rupert, Stoddard, Strange. Total—20.

Absent and not voting: Andrus, Campbell, Caplis, Castles, Flynn, Fox, Hardcastle, Hedrick, Holt, Keeley, Kinville, Leavens, Lemmon, Meagher, Merritt, Moriarity, Mulholland, Nagle, Sales, Steeves, Troy, Wold. Total—22.

Present and not voting: Larson (Sheridan). Total—1.

House Bill No. 141, by Loble, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Beadle, Bergstrom, Besancon, Brandt, Budas, Campbell, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Graybill, Green, Hawley, Higham, Hoffman, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Kelly, Kennedy, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Lincoln, Loble, Masters, Miller, Morris, Moss, Moulton, Murphy, McAfee, McCarty, McGrath, Nelson, Nelstead, Parkin, Patterson Peat, Peterson, Plank, Plumer, Reed, Rice, Ruffcorn, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Stoddard, Strange, Throssel, Tinsley, Waite, Walker, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—73.

Noes: None.

Absent and not voting: Andrus, Berryman, Burns, Caplis, Castles, Flynn, Fox, Gordon, Hanson, Hardcastle, Harris, Hedrick, Holt, Keeley, Kinville, Leavens, Lemmon, Meagher, Merritt, Moriarity, Mulholland, Nagle, Rupert, Ryder, Sales, Steeves, Troy, Wold. Total—28.

Moved by Fletcher, duly seconded and carried, that House adjourn until 2:30 P. M., Sunday, February 22, 1925.

R. C. BRICKER, Speaker.

Attest: H. J. FAUST, Chief Clerk.

## FORTY-NINTH DAY

House of Representatives,

Helena, Montana, February 22, 1925.

House met pursuant to adjournment at 2:30 P. M.

Mr. Speaker in the chair.

Prayer by the Chaplain.

On roll call all present except: Lemmon, excused on account of sickness; Andrus, Castles, Steeves, Troy, excused; Caplis, Meagher, Moriarity, Mulholland, Nagle, absent.

Moved by Ruffcorn, duly seconded and carried, that the House recess until the call of the chair, for the purpose of hearing the Washington's birthday program, as arranged by the committee.

Upon announcement of the Speaker, Mr. Hedrick assumed charge of the program.

The following program was rendered:

Invocation—Rev. H. W. Woods.

Singing—"America."

Male quartet from Intermountain College—"The Boys of the Old Brigade."

Washington's Farewell Address—Representative H. C. Donaldson.

Solo—"The Lord Is My Light," Representative Grant Reed.

Address—E. J. Klemme, Intermountain College.

Solo—Representative Everett Rice.

"Star Spangled Banner"—Members and visitors.

Accompanist—Representative Julius J. Wuerthner.

House resumed at 3:50 P. M.

Mr. Speaker in the chair.

Masters and Tinsley excused for the rest of the day.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed:

House Bills 314, 229, 431, 230, 346, 4, 295, 299, 40, 426, 242, 366.

Substitute House Bill 359.

House Bill 309.

BERRYMAN, Chairman.

The Journal Committee reported as follows:

Mr. Speaker: We, your Committee on Journal, have this day examined the Journal for the 48th Legislative day and found the same correct.

PEARL I. SMITH, Chairman.

On motion of Smith of Beaverhead, report adopted.

The Engrossing Committee reported as follows:

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed:

House Bills 109, 432, 443.

BERRYMAN, Chairman.

#### CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

Moved by Ruffcorn, duly seconded and carried, that messages from Senate be considered read at length and Journal so show.

The following communications were received from the Senate:

Helena, Montana, February 21, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate bills were this day read third time and passed, title agreed to, and are herewith transmitted to the House for concurrence:

Senate Joint Resolution No. 10, by Church.

Senate Bill No. 47, by Kane.

Senate Bill No. 86, by Mears.

Senate Bill No. 100, by Paul.

Senate Bill No. 141, by Pauline.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 21, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 145 was this day read third time and concurred in as amended, titled agreed to, and same is herewith returned to the House for concurrence in Senate amendments.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 21, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 23 was this day read third time and concurred in as amended, title agreed to, and same is herewith returned to the House for concurrence in Senate amendments.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 21, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 260 was this day read third time and concurred in as amended, title agreed to, and same is herewith returned to the House for concurrence in Senate amendments.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 21, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 103 was this day reported from the Committee on Compensation with the recommendation that it be not concurred in. Report adopted and bill is herewith returned to the House.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 21, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title agreed to, and same are herewith returned to the House:

House Bill No. 82, by Dellwo.

House Bill No. 197, by Ways and Means Committee.

House Bill No. 204, by Donaldson.

House Bill No. 252, by Burns, Castles, Throssel, Leavens, Andrus, Anderson, Patterson, Graybill, Beadle, White.

House Bill No. 284, by Committee on Live Stock and Public Ranges.

House Bill No. 168, by Plumer.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 21, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee of the Whole, having had under consideration Business on General File, report as follows:

That Senate Bill No. 114 do pass.

That consideration of House Bill No. 118 be passed for the day.

That House Bill No. 192 be amended, and, as amended, it be concurred in.

That House Bill No. 29 be amended, and, as amended, concurred in.

That House Bill No. 243 be amended, and, as amended, concurred in.

That House Bill No. 56 be amended, and, as amended, concurred in.

That House Bill No. 145 be concurred in.



That House Bill No. 239 be amended, and, that further consideration be passed for the day.

That consideration of House Bill No. 240 be passed for the day.

That consideration of House Bill No. 241 be passed for the day.

That consideration of House Bill No. 238 be passed for the day.

That House Bill No. 252 be concurred in.

That House Bill No. 260 be concurred in.

That House Bill No. 228 be amended, and, as amended, concurred in.

Report adopted.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 21, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee of the Whole, having had under consideration House Bill No. 56, report that same be amended as follows:

Amend Section 1 by inserting in line 23 after the word "provided," "however, that in the letting of the contract for the transportation of more than five pupils on a single transportation route, the trustees of school districts shall advertise for bids for transportation of such pupils in one issue of the official county newspaper at least fifteen days prior to the letting of contract, and in the event that there is no newspaper published in the county, then three notices calling for bids shall be posted in three separate and conspicuous places in the district and that the contract for such transportation shall be let to the lowest responsible bidder and suitable bond be furnished by contractor."

Amend by striking out in line 23 the word "that" and inserting in lieu thereof the words "then if there are five pupils or less."

And, as so amended, it be concurred in.

Report adopted.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 21, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee of the Whole, having had under consideration House Bill No. 243, report that same be amended as follows:

Amend Section 1 by striking out lines 26 and 27 of the printed bill, and, as so amended, it be concurred in.

Report adopted.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 21, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee of the Whole, having had under consideration House Bill No. 228, report that same be amended as follows:

Amend by striking out all of Sub-section 2 of Section 1 and inserting in lieu thereof the following: "If any bank which shall hereafter have been ordered by the Superintendent of Banks, to make good its capital impairment fail to do so as provided herein, the Superintendent of Banks must forthwith take charge of such bank and proceed to liquidate it as in case of insolvency, provided however, that if 50% of the impairment has been paid in the Superintendent of Banks shall have power and discretion to grant further time," and, as so amended, that it be concurred in.

Report adopted.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 21, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee of the Whole, having had under consideration House Bill No. 239, report that same be amended as follows:

Amend in Section 1 by striking out in line 9, "twenty-five per cent 25%" and inserting in lieu thereof the words "ten per cent 10%."

Amend in Section 3 Sub-division 2, in line 9, on page 2 of the printed bill, by striking out the words "twenty-five per cent (25%)" and inserting in lieu thereof the words "ten per cent (10%)," and that further consideration of House Bill No. 239 be passed for the day.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 21, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee of the Whole, having had under consideration House Bill No. 29, report that same be amended as follows:

Amend House Bill No. 29 by adding a new section to be known as Section 3, to read as follows: "This Act shall be in full force and effect from and after January 1st, 1926," and, as amended, it be concurred in.

Report adopted.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 21, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following bills were this day introduced:

Substitute Senate Bill No. 138, by Judiciary Committee: "An Act to permit the organization of irrigation districts by the owners of water-rights, having a common source of supply and a single intake from such common source of supply, for the purposes of operation and administration of said system without the necessity of the acquisition by such irrigation district of the existing water-rights, system or works owned by the respective water-right owners within the district, and conferring on such districts the powers, duties and status of public corporations organized under the irrigation district law of the State of Montana." Judiciary Committee.

Senate Bill No. 184, by Linn, Duncan and Speer, by request: "An Act to authorize the district courts of the State, under certain conditions, to order sale or other disposition or mortgage or lease of property, real or personal, held in trust by written instrument, upon application to the court by the trustee, or any beneficiary; and providing procedure therefor, and to permit the Trustee to lease the property without order of court under certain terms and conditions." Judiciary Committee.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 21, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Standing Committees have made the following reports:

Committee on Taxation report that House Bill No. 294, be concurred in.

Committee on Taxation report that House Bill No. 231, be concurred in.

Committee on Judiciary report and recommend that House Bill No. 301 be concurred in.

Committee on Fairs and Expositions recommend that House Joint Resolution No. 7 be concurred in.

Committee on Fish and Game for reasons given report that Senate Bill No. 149 do not pass.

Committee on Compensation report that House Bill No. 103 be not concurred in; that House Bill No. 91 be concurred in.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 21, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee of the Whole, having had under consideration House Bill No. 192, report that same be amended as follows:

Amend House Bill No. 192 in Section 1 by striking out lines 3 to 10 inclusive, and that part of line 11 reading, "the southwest corner of Section 27, T. 8, S. R. 5 E," and inserting in lieu thereof the words:

"Commencing at the Southeast corner Sec. 19, T. 9 S., R. 8 E., which section corner is on line with the North boundary of the Yellowstone National Park, thence North one mile along East line of said Section, thence West one mile, thence North one mile, thence West two miles, thence North three miles, thence West two miles, thence North two miles to the section corner common to Sections 16-17-20 and 21, T. 8 S., R. 7 E., which corner is on the divide between Cottonwood Creek and Sphinx Creek, thence West along said divide to the Northwest corner of Sec. 19, T. 8 S., R. 7 E., thence South and West along the divide between Tom Miner Creek, Mol Heren and Specimen Creeks to a point on the Gallatin-Yellowstone divide, which point is North 60 degrees E., 45 chains from the Southwest corner of Section 27, T. 8 S., R. 5 E."

Report adopted.

Respectfully,

J. F. CONE, Secretary of Senate.

### THIRD READING OF HOUSE BILLS

House Bill No. 67, by Robert Larson, having been read three several times, title and history agreed to, was killed by the following vote:

Ayes: Ainsworth, Anderson, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Cusick, Dellwo, Duncan, Fitzgerald, Fletcher, Gordon, Graybill, Hanson, Hoffman, Holt, Holton, Larsen (Sheridan), Larson (Sheridan), Lincoln, Merritt, Miller, McCarty, Nelson, Parkin, Patterson, Plank, Plummer, Ruffcorn, Ryder, Strange, Throssel, Waite, Walton, Wuerthner. Total—37.

Noes: Akofer, Burns, Campbell, Clarke, Davis, Donaldson, Doran, Eaton, Fitzgarrald, Flachsenhar, Flynn, Fox, Green, Hawley, Hedrick, Higham, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kennedy, Kinville, Leavens, Loble, Masters, Morris, Moss, Moulton, Murphy, McAfee, Nelstead, Peat, Peterson, Reed, Rice, Rupert, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Stoddard, Walker, White, Wold, Woods, Zeh, Mr. Speaker. Total—48.

Paired: Fairgrieve, Troy. Total—2.

Absent and not voting: Andrus, Caplis, Castles, Hardcastle, Harris, Larson (Cascade), Lemmon, Meagher, Moriarity, Mulholland, McGrath, Nagle, Sales, Steeves, Tinsley. Total—15.

House Bill No. 219, by Beadle and Burns, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Flynn, Fox, Gordon, Graybill, Green, Hanson, Harris, Hawley, Hedrick, Higham, Holt, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Loble, Masters, Merritt, Miller, Morris, Moss, Murphy, McAfee, McCarty, McGrath, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Reed, Rice, Ruffcorn,



Rupert, Ryder, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Throssel, Waite, Walton, White, Woods, Wuerthner, Zeh Mr. Speaker. Total—82.

Noes: Hoffman, Moulton, Stoddard, Strange, Walker. Total—5.

Absent and not voting: Andrus, Caplis, Castles, Fairgrieve, Hardcastle, Lemmon, Meagher, Moriarity, Mulholland, Nagle, Sales, Steeves Tinsley, Troy, Wold. Total—15.

### CONSIDERATION OF GENERAL ORDERS

Moved by Ruffcorn, duly seconded and carried, that House now resolve itself into Committee of the Whole for Consideration of General Orders, and that debate be limited to five minutes for proponents or authors of bills and to three minutes for all others, with no trading of time.

Mr. Davis in the chair.

The Committee arose.

Mr. Speaker in the chair.

The Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration Bills on General Orders, respectfully report as follows:

That House Bill No. 37 be amended as follows:

Section 1. By adding the word "electors" after the word "qualified" in line 15 of the printed bill.

And that, as amended, House Bill No. 37 do pass.

Substitute House Bill No. 332 that the enacting clause be stricken out.

Substitute House Bill No. 20 that the enacting clause be stricken out.

House Bill No. 138 that the enacting clause be stricken out.

DAVIS, Chairman.

On motion of Davis, report adopted.

Moved by Ruffcorn, duly seconded and carried, that House recess until 7:30 P. M.

### EVENING SESSION

House resumed at 7:30 P. M.

Mr. Speaker in the chair.

At the request of Ruffcorn, there being no objections, House reverted to Order of Business No. 6.

### MOTIONS AND RESOLUTIONS

Moved by Ruffcorn, duly seconded and carried, that House Bill No. 345 be placed at the bottom of the list on General Orders.

### CONSIDERATION OF GENERAL ORDERS

Moved by Ruffcorn, duly seconded and carried, that House now resolve itself into Committee of the Whole for Consideration of General Orders, and that debate be limited to five minutes for proponents or authors of bills and to three minutes for all others, with no trading of time.

Mr. Smith of Lewis and Clark in the chair.

The Committee arose.

Mr. Speaker in the chair.

The Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration bills on General Orders, respectfully report as follows:

House Bill No. 371 that enacting clause be stricken out.

That House Bill No. 374 be passed for time being.

That House Bill No. 389 be amended as follows:

By inserting "of Part III" after "Chapter 259" in the title; and also same amendment in line 1 of Section 21.

And that, as amended, House Bill No. 389 do pass.

That House Bill No. 318 be amended as follows:

Section 1. By striking out in line 19 the words "six months" and inserting in lieu thereof the words "one year."

And that, as amended, House Bill No. 318 do pass.

That House Bill No. 320 do pass.

That House Bill No. 348 do pass.

That House Bill No. 355 do pass.

That House Bill No. 372 be amended as follows:

Section 1. By inserting in line 3 before "3808" the word "Section."

And that, as amended, House Bill No. 372 do pass.

That House Bill No. 418 be passed for time being.

That House Bill No. 420 do pass.

That House Bill No. 265 do pass.

SMITH of Lewis and Clark, Chairman.

Moved by Smith of Lewis and Clark, duly seconded and carried, that report be adopted.

### CONSIDERATION OF GENERAL ORDERS

Moved by Ruffcorn, duly seconded and carried, that House now resolve itself into Committee of the Whole for Consideration of General Orders, under the same rules and restrictions prevailing in the previous sitting.

Mr. Smith of Lewis and Clark in the chair.

The committee arose.

Mr. Speaker in the chair.

The Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration Bills on General Orders, respectfully report as follows:

That Substitute House Bill No. 438 be amended as follows:

By inserting the word "Section" at the beginning of line 3 in Sections 1, 2, 3, 4, 5, 6, 7 and 8.

Section 6. By inserting in line 40 after "Section 3119" the words "or other sections." And inserting in line 42 after "Section 3202" the words "or other sections."

Section 6. By striking out in line 23 the word "used" at the end thereof, and by striking all of lines 24 and 25, and inserting in lieu thereof the following: "paid by the State Board of Examiners to the State Treasurer, who shall credit one-half of such moneys to the common school interest and income fund of the state, and the other half to a fund to be used by the State Board of Examiners for the purpose of administration and enforcement of the provisions of this Act."

Section 6. By adding at the end thereof the following: "The penalties provided in this section shall not be considered as special penalties, but as additional to any and all penalties provided in Section 11075 of the Revised Codes of Montana of 1921."

And that, as amended, Substitute House Bill No. 438 do pass.

House Bill No. 412 that the enacting clause be stricken out.

House Bill No. 414 that the enacting clause be stricken out.

That House Joint Resolution No. 6 be laid on the table.

That House Bill No. 177 be passed for time being.

That House Bill No. 374 be amended as follows:

Section 1. By striking out all of line 1 after the word "shall" and all of lines 2, 3, 4 and 5.

Section 1. By striking out in line 4 the word "truck" and inserting in lieu thereof the word "track."

And that, as amended, House Bill No. 374 do pass.

House Bill No. 345 that the enacting clause be stricken out.

SMITH of Lewis and Clark, Chairman

Moved by Smith of Lewis and Clark, duly seconded, that report be adopted.

Moved by Anderson, duly seconded, that House Joint Resolution No. 6 be segregated from the report.

Moved by Berryman, as substitute motion, duly seconded, that motion to segregate be laid on the table.

Question arising on substitute motion to lay on the table, same carried.

Question arising on motion to adopt the report of the Committee of the Whole, same carried.

The Engrossing Committee reported as follows:

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed:

Substitute House Bills No. 101, No. 357, No. 369, No. 444, No. 35, No. 99, No. 117, House Bills No. 234, No. 37, No. 409, No. 265.

BERRYMAN, Chairman.

There being no objections, House reverted to Order of Business No. 9:

### THIRD READING OF HOUSE BILLS

House Bill No. 40, by Berryman, et al., having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Akofer, Anderson, Berryman, Brandt, Burns, Clarke, Donaldson, Duncan, Eaton, Fairgrieve, Fitzgarrald, Flachsenhar, Gordon, Graybill, Hanson, Harris, Hawley, Hoffman, Holt, Holton, Johnson (Fergus), Johnson (Valley), Keeley, Kennedy, Larson (Cascade), Larsen (Sheridan), Leavens, Masters, Merritt, Morris, Moss, Murphy, McAfee, Nelson, Parkin, Patterson, Reed, Rice, Ruffcorn, Rupert, Ryder, Sales, Schöpening, Stoddard, Strange, Waite, Walton, Wold, Woods, Zeh, Mr. Speaker. Total—51.

Noes: Beadle, Bergstrom, Besancon, Budas, Cusick, Dellwo, Fitzgerald, Flynn, Fox, Green, Higham, Kinville, Larson (Sheridan), Miller, Moulton, Peterson, Plank, Plumer, Smith (Lewis and Clark), Smith (Beaverhead), Walker. Total—21.

Absent and not voting: Ainsworth, Andrus, Campbell, Caplis, Castles, Davis, Doran, Fletcher, Hardecastle, Joffray, Kelly, Lemmon, Lincoln, Loble, Meagher, Moriarity, Mulholland, McCarty, McGrath, Nagle, Nestead, Peat, Shields, Steeves, Throssel, Tinsley, Troy, White, Wuerthner. Total—29.

Present and not voting: Hedrick. Total—1.

House Bill No. 314, by Holton, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Akofer, Anderson, Bergstrom, Berryman, Besancon, Brandt, Budas, Clarke, Cusick, Davis, Dellwo, Donaldson, Duncan, Eaton, Fairgrieve, Fitzgarrald, Flachsenhar, Flynn, Fox, Gordon, Graybill, Green, Hanson, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Larson (Cascade), Larsen (Sheridan), Leavens, Lincoln, Masters, Merritt, Miller, Morris, Moss, Moul-



ton, Murphy, McAfee, Patterson, Peterson, Plank, Reed, Rice, Rupert, Ryder, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Stoddard, Strange, Throssel, Troy, Waite, Walker, Walton, Woods, Zeh, Larson (Sheridan), Mr. Speaker. Total—66.

Noes: Beadle, Burns, Fitzgerald, Keeley, Kinville, Nelson, Nelstead, Parkin, Plumer. Total—9.

Absent and not voting: Ainsworth, Andrus, Campbell, Caplis, Castles, Doran, Fletcher, Hardcastle, Kelly, Kennedy, Lemmon, Loble, Meagher, Moriarity, Mulholland, McCarty, McGrath, Nagle, Peat, Ruffcorn, Sales, Shields, Steeves, Tinsley, White, Wold, Wuerthner. Total—27.

House Bill No. 229, by Loble, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Akofer, Bergstrom, Berryman, Brandt, Budas, Burns, Campbell, Clarke, Davis, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Flachsenhar, Fox, Gordon, Graybill, Hanson, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Leavens, Loble, Masters, Merritt, Miller, Moss, Moulton, Murphy, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Reed, Rice, Ruffcorn, Rupert, Ryder, Sales, Schoening, Smith (Lewis and Clark), Stoddard, Strange, Throssel, Waite, Walker, Walton, White, Wold, Woods, Zeh, Mr. Speaker. Total—69.

Noes: Anderson, Beadle, Besancon, Cusick, Dellwo, Fitzgerald, Hardcastle, Larson (Sheridan), Lincoln, McAfee, Plank, Plumer. Total—12.

Absent and not voting: Ainsworth, Andrus, Caplis, Castles, Fletcher, Flynn, Green, Kelly, Lemmon, Meagher, Moriarity, Morris, Mulholland, McCarty, McGrath, Nagle, Shields, Smith (Beaverhead), Steeves, Tinsley, Troy, Wuerthner. Total—21.

House Bill No. 230, by Loble, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Akofer, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Fairgrieve, Fitzgarrald, Flachsenhar, Fox, Gordon, Graybill, Hanson, Harris, Hawley, Hedrick, Higham, Holt, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kennedy, Kinville, Larson (Cascade), Leavens, Lincoln, Loble, Masters, Merritt, Miller, Morris, Moss, Moulton, McAfee, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Reed, Rice, Ruffcorn, Rupert, Schoening, Smith (Lewis and Clark) Stoddard, Strange, Throssel, Waite, Walker, Walton, White, Wold, Zeh, Mr. Speaker. Total—68.

Noes: Anderson, Beadle, Fitzgerald, Hardcastle, Hoffman, Larsen (Sheridan), Larson (Sheridan), Plumer, Ryder. Total—9.

Absent and not voting: Ainsworth, Andrus, Caplis, Castles, Eaton, Fletcher, Flynn, Green, Kelly, Lemmon, Meagher, Moriarity, Mulholland, Murphy, McCarty, McGrath, Nagle, Sales, Shields, Smith (Beaverhead), Steeves, Tinsley, Troy, Woods, Wuerthner. Total—25.

House Bill No. 431, by Fitzgarrald of Ravalli, by request, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Akofer, Anderson, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Campbell, Clarke, Cusick, Davis, Dellwo, Donaldson, Duncan, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Fox, Gordon, Graybill, Hanson, Hardcastle, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Joffray, Johnson (Valley), Keeley, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Loble, Masters, Merritt, Miller, Morris, Moss, Moulton, Murphy, McAfee, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Reed, Rice, Rupert, Ryder, Sales, Schoening, Smith (Lewis and Clark), Smith (Beaver-

head), Stoddard, Strange, Throssel, Waite, Walton, White, Wold, Woods, Zeh, Johnson (Fergus), Mr. Speaker. Total—77.

Noes: None.

Absent and not voting: Ainsworth, Andrus, Burns, Caplis, Castles, Doran, Fletcher, Flynn, Green, Kelly, Kennedy, Lemmon, Meagher, Moriarity, Mulholland, McCarty, McGrath, Nagle, Ruffcorn, Shields, Steeves, Tinsley, Troy, Walker, Wuerthner. Total—25.

House Bill No. 346, by Nagle and Burns, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Anderson, Bergstrom, Besancon, Brandt, Budas, Burns, Campbell, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan Eaton, Fairgrieve, Fitzgarrald, Flachsenhar, Gordon, Graybill, Green, Hardcastle, Harris, Hedrick, Higham, Hoffman, Holt, Holton, Johnson (Fergus), Kinville, Larsen (Sheridan), Leavens, Lincoln, Masters, Merritt, Miller, Morris, Moss, Moulton, Murphy, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plumer, Reed, Ruffcorn, Rupert, Sales, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Throssel, Waite, Walker, White, Walton, Woods, Zeh, Berryman, Mr. Speaker. Total—64.

Noes: Beadle, Fitzgerald, Keeley, Kennedy, Larson (Sheridan). Total—5.

Absent and not voting: Ainsworth, Akofer, Andrus, Caplis, Castles, Fletcher, Flynn, Fox, Hanson, Hawley, Joffray, Johnson (Valley), Kelly, Larson (Cascade), Lemmon, Loble, Meagher, Moriarity, Mulholland, McAfee, McCarty, Nagle, McGrath, Rice, Ryder, Shields, Steeves, Stoddard, Strange, Tinsley, Troy, Wold, Wuerthner. Total—33.

Substitute House Bill No. 295, by Committee on Townships and Counties, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Akofer, Anderson, Beadle, Besancon, Budas, Burns, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Fairgrieve, Fitzgarrald, Flynn, Fox, Graybill, Green, Hanson, Hardcastle, Harris, Hawley, Higham, Hoffman, Holt, Joffray, Johnson (Valley), Keeley, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Leavens, Lincoln, Loble, Masters, Merritt, Miller, Morris, Moss, Moulton, McAfee, Parkin, Patterson, Peterson, Plank, Plumer, Rice, Ruffcorn, Rupert, Ryder, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Stoddard, Throssel, Waite, Walker, Walton, White, Wold, Woods, Zeh, Mr. Speaker. Total—64.

Noes: Bergstrom, Brandt, Campbell, Clarke, Eaton, Fitzgerald, Flachsenhar, Hedrick, Johnson (Fergus), Larson (Sheridan), Nelson, Nelstead, Sales, Strange. Total—14.

Absent and not voting: Ainsworth, Andrus, Berryman, Caplis, Castles, Fletcher, Gordon, Holton, Kelly, Lemmon, Meagher, Moriarity, Mulholland, Murphy, McCarty, McGrath, Nagle, Peat, Reed, Shields, Steeves, Tinsley, Troy, Wuerthner. Total—24.

House Bill No. 299, by Rice, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Akofer, Anderson, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Campbell, Clarke, Cusick, Davis, Dellwo, Donaldson, Duncan, Eaton, Fairgrieve, Fitzgarrald, Flachsenhar, Flynn, Fox, Graybill, Green, Hanson, Hardcastle, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Loble, Masters, Merritt, Miller, Morris, Moss, Moulton, Murphy, McAfee, Nelson, Nelstead, Parkin, Patterson, Peterson, Plank, Plumer, Rice, Ruffcorn, Rupert, Ryder, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Stoddard, Strange, Throssel, Walker, Walton, White, Wold, Woods, Zeh, Fitzgerald, Mr. Speaker. Total—77.

Noes: None.



Absent and not voting: Ainsworth, Andrus, Burns, Caplis, Castles, Doran, Fletcher, Gordon, Kelly, Lemmon, Meagher, Moriarity, Mulholland, McCarty, McGrath, Nagle, Peat, Reed, Sales, Shields, Steeves, Tinsley, Troy, Waite, Wuerthner. Total—25.

House Bill No. 242, by Loble, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Akofer, Bergstrom, Berryman, Besancon, Brandt, Budas, Campbell, Clarke, Davis, Dellwo, Duncan, Eaton, Fairgrieve, Flachsenhar, Fox, Gordon, Graybill, Green, Hanson, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kennedy, Kinville, Leavens, Loble, Masters, Merritt, Miller, Morris, Moss, Moulton, Murphy, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Reed, Rice, Ruffcorn, Rupert, Ryder, Sales, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Stoddard, Strange, Throssel, Walker, Walton, White, Wold, Woods, Zeh, Mr. Speaker. Total—67.

Noes: Anderson, Beadle, Burns, Cusick, Donaldson, Fitzgerald, Hardcastle, Holton, Larsen (Sheridan), Larson (Sheridan), Lincoln, McAfee, Plumer. Total—13.

Absent and not voting: Ainsworth, Andrus, Caplis, Castles, Doran, Fitzgarrald, Fletcher, Flynn, Kelly, Larson (Cascade), Lemmon, Meagher, Moriarity, Mulholland, McCarty, McGrath, Nagle, Shields, Steeves, Tinsley, Troy, Waite, Wuerthner. Total—22.

House Bill No. 309, by Smith of Lewis and Clark, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Akofer, Anderson, Beadle, Bergstrom, Besancon, Burns, Campbell, Clarke, Davis, Dellwo, Donaldson, Duncan, Eaton, Fairgrieve, Fitzgerald, Fitzgarrald, Flachsenhar, Fox, Gordon, Graybill, Green, Hanson, Hardcastle, Harris, Hawley, Holt, Holton, Johnson (Fergus), Keeley, Kelly, Kinville, Larsen (Sheridan), Larson (Sheridan), Leavens, Loble, Morris, Moss, Moulton, Murphy, McAfee, Nelstead, Parkin, Patterson, Peterson, Plank, Plumer, Reed, Rice, Ruffcorn, Schoening, Stoddard, Strange, Throssel, Walker, Walton, White, Wold, Zeh, Mr. Speaker. Total—59.

Noes: Berryman, Brandt, Budas, Cusick, Doran, Higham, Hoffman, Johnson (Valley), Kennedy, Lincoln, Merritt, Miller, Nelson, Ryder, Smith (Beaverhead), Woods. Total—16.

Absent and not voting: Ainsworth, Andrus, Caplis, Castles, Fletcher, Flynn, Hedrick, Joffray, Larson (Cascade), Lemmon, Masters, Meagher, Moriarity, Mulholland, McCarty, McGrath, Nagle, Peat, Rupert, Sales, Shields, Smith (Lewis and Clark), Steeves, Tinsley, Troy, Waite, Wuerthner. Total—27.

Substitute House Bill No. 109, by Workmen's Compensation Committee, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Akofer, Anderson, Beadle, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Clarke, Cusick, Davis, Dellwo, Donaldson, Duncan, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Flynn, Fox, Gordon, Graybill, Green, Hanson, Harris, Hawley, Higham, Hoffman, Holt, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kennedy, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Loble, Merritt, Miller, Morris, Moss, Moulton, McAfee, Nelson, Nelstead, Parkin, Patterson, Peterson, Plank, Plumer, Reed, Rice, Ruffcorn, Ryder, Sales, Schoening, Smith (Lewis and Clark), Stoddard, Strange, Throssel, Waite, Walker, Walton, White, Wold, Woods, Zeh, Mr. Speaker. Total—74.

Noes: Doran, Hardcastle, Kelly, Kinville, Murphy. Total—5.



Absent and not voting: Ainsworth, Andrus, Bergstrom, Caplis, Castles, Fletcher, Hedrick, Lemmon, Masters, Meagher, Moriarity, Mulholland, Nagle, McCarty, McGrath, Peat, Rupert, Shields, Smith (Beaverhead), Steeves, Tinsley, Troy, Wuerthner. Total—23.

House Bill No. 432, by Fitzgarrald, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Akofer, Anderson, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Flynn, Fox, Graybill, Green, Hanson, Hardcastle, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Joffray, Johnson (Valley), Keeley, Kelly, Kinville, Larson Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Loble, Masters, Merritt, Miller, Morris, Moss, Moulton, Murphy, McAfee, Nelson, Nelstead, Parkin, Patterson, Peat, Plank, Plumer, Reed, Rice, Ruffcorn, Ryder, Sales, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Strange, Throssel, Waite, Walker, Walton, White, Wold, Woods, Zeh, Mr. Speaker. Total—78.

Noes: None.

Absent and not voting: Ainsworth, Andrus, Caplis, Castles, Fletcher, Gordon, Harris, Johnson (Fergus), Kennedy, Lemmon, Meagher, Moriarity, Mulholland, McCarty, McGrath, Nagle, Peterson, Rupert, Shields, Steeves, Stoddard, Tinsley, Troy, Wuerthner. Total—24.

House Bill No. 443, by McAfee, et al., having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Anderson, Beadle, Besancon, Brandt, Budas, Burns, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Flynn, Fox, Graybill, Green, Hanson, Hardcastle, Hawley, Hedrick, Higham, Holton, Joffray, Johnson (Valley), Keeley, Kelly, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Leavens, Loble, Masters, Morris, Moss, Murphy, McAfee, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Reed, Rice, Ruffcorn, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Strange, Throssel, Waite, Walton, White, Woods, Zeh, Mr. Speaker. Total—63.

Noes: Bergstrom, Larson (Sheridan), Merritt, Moulton, Plumer, Ryder, Sales, Walker. Total—8.

Absent and not voting: Ainsworth, Akofer, Andrus, Berryman, Campbell, Caplis, Castles, Eaton, Fletcher, Gordon, Harris, Hoffman, Holt, Johnson (Fergus), Lemmon, Lincoln, Meagher, Miller, Moriarity, Mulholland, McCarty, McGrath, Nagle, Rupert, Shields, Steeves, Stoddard, Tinsley, Troy, Wold, Wuerthner. Total—31.

### CONSIDERATION OF GENERAL ORDERS

Moved by Ruffcorn, duly seconded and carried, that House resolve itself into Committee of the Whole under the same rules and restrictions prevailing in the previous sitting, for the Consideration of General Orders.

Robert Larson in the chair.

Committee arose.

Mr. Speaker in the chair.

The Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration Bills on General Orders, respectfully report as follows: That

House Bill No. 418 do pass.

House Bill No. 423 do pass.

ROBERT LARSON, Chairman.

Moved by Robert Larson, duly seconded and carried, that report of the committee be adopted.

Moved by Johnson of Valley, duly seconded and carried, that House adjourn until 9:00 A. M. Monday, February 23, 1925.

R. C. BRICKER, Speaker.

Attest: H. J. FAUST, Chief Clerk.

## FIFTIETH DAY

House of Representatives,  
Helena, Montana, February 23, 1925.

House met pursuant to adjournment at 9:00 A. M.

Mr. Speaker in the chair.

Prayer by the Chaplain.

On roll call all present except: Bergstrom and Lemmon, excused on account of sickness; Caplis and Meagher, absent.

The Committee on Journal reported as follows:

Mr. Speaker: We, your Committee on Journal, have this day examined the Journal for the Forty-ninth Legislative day and found the same correct.

PEARL I. SMITH, Chairman.

On motion of Smith of Beaverhead, report adopted.

## REPORTS OF STANDING COMMITTEES

The following reports were received from Standing Committees:

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration Substitute House Bill No. 421, introduced by Committee on Revenue and Taxation, respectfully report as follows: That House Bill No. 421 and Substitute House Bill No. 421, do not pass.

RUFFCORN, Chairman.

On motion of Ruffcorn, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 326, introduced by Brandt, et al., respectfully report as follows: That House Bill No. 326 do not pass.

RUFFCORN, Chairman.

On motion of Ruffcorn, report adopted.

## INTRODUCTION OF BILLS AND MEMORIALS

The following bills were introduced, read first and second times and referred to Committees as follows:

Senate Joint Resolution No. 10, by Church, relating to Pacific Northwest Commercial and Industrial Exposition. Referred to Committee on Affairs and Expositions.

Senate Bill No. 47, by Kane: "An Act relating to irrigation districts, authorizing and empowering irrigation districts and the commissioners thereof to purchase lands sold for delinquent taxes whenever taxes or assessments of such irrigation districts form all or a part of the taxes for which said lands are sold; to purchase and take assignment of certificates of tax sales of said lands bid in by the county for delinquent taxes being in whole or in part taxes or assessments or such irrigation districts; to take title to the lands so sold for taxes in case they are not redeemed, as provided by law; to purchase such lands from the county, when tax deeds therefor have issued to the county; to lease, operate, sell and dispose of the same as may seem for the best interest of such district; and to commence, maintain and prosecute suits to quiet title as to the lands so purchased; and relating to the period of redemption and the issuance of tax deeds of property in such irrigation districts repealing

all Acts or parts of Acts in conflict herewith." Referred to Committee on Townships and Counties.

Senate Bill No. 86, by Mears: "An Act to amend Sections 4318 and 4327 of the Revised Codes of the State of Montana, 1921, relating to changing the boundaries of Fergus and Judith Basin counties." Referred to Committee on New Counties and Divisions.

Senate Bill No. 141, by Pauline: "An Act to amend Section 1282 of the Revised Codes of Montana of 1921, as amended by Chapter 19 of the laws of the 18th Legislative Assembly, relating to attendance at County High Schools." Referred to Committee on Education.

Senate Bill No. 100, by Paul: "An Act to permit the storage of explosives upon the rights of way of railroads during construction and when such railroads are in actual operation at certain points and places where emergency use for such explosives is likely to occur." Referred to Committee on Public Safety.

The following bills, introduced on the 40th day, were at this time read first and second times, second time at length and referred to Appropriations Committee:

House Bill No. 447, introduced by Appropriations Committee: A Bill for an Act entitled: "An Act to appropriate money for the operation and maintenance of certain of the state offices of the State of Montana for the period beginning July 1, 1925, and ending June 30, 1927." Referred to Appropriations Committee.

House Bill No. 448, introduced by Appropriations Committee: A Bill for an Act entitled: "An Act appropriating money for the operation and maintenance of certain boards, commissions and departments of the State of Montana for the period beginning July 1, 1925, and ending June 30, 1927." Referred to Appropriations Committee.

### MOTIONS AND RESOLUTIONS

Moved by Beadle, duly seconded, that House Joint Resolution No. 6 be taken from table.

Moved by Flachsenhar, duly seconded and carried, that motion to take House Joint Resolution No. 6 from the table, be laid on the table.

The Speaker gave notice that he was about to sign House Bills Nos. 6, 211, 119, 191, and 208, and thereupon signed the same.

### CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

Moved by Ruffcorn, duly seconded and carried, that communication from the Senate be considered read at length and that the Journal so show.

The following communication was received from the Senate:

February 23, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title agreed to, and are herewith transmitted to the House for concurrence:

S. J. R. No. 7, by Conser.

S. B. No. 89, by Peterson.

S. B. No. 91, by Linn.

S. B. No. 97, by Committee on Education.

S. B. No. 98, by McCormick, Schnitzler, Conser, McQuitty, Dowlin.

S. B. No. 111, by Walker.

S. B. No. 114, by Clark.

Sub. for S. B. No. 162, by Committee on Finance and Claims.

S. B. No. 168, by Dowlin.



S. B. No. 169, by Survant.  
 S. B. No. 172, by Walker.  
 Sub. for S. B. No. 138, by Judiciary Committee.  
 S. B. No. 161, by Pauline, Buttelman and Smith.  
 S. B. No. 145, by Page.  
 S. B. No. 155, by Cooper.  
 S. B. No. 156, by Stewart.  
 S. B. No. 173, by Oliver.  
 S. B. No. 174, by Griffin.  
 S. B. No. 175, by Survant.  
 S. B. No. 177, by Duncan.  
 S. B. No. 178, by Buttelman and Watson.  
 S. B. No. 180, by Pauline.  
 S. B. No. 182, by Green.  
 S. B. No. 183, by Committee on Stock Growing and Grazing.  
 S. B. No. 184, by Linn, Duncan, and Speer, by request.  
 S. B. No. 160, by Griffin, Pauline, Buttleman.  
 S. B. No. 128, by Oliver.  
 Sub. for S. B. No. 133, by Committee on Finance and Claims.  
 Respectfully,

J. F. CONE, Secretary of Senate.

### THIRD READING OF HOUSE BILLS

Senate amendments to House Bill No. 174 were concurred in by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Clarke, Cusick, Davis, Dellwo, Donaldson, Duncan, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Flynn, Gordon, Graybill, Green, Hanson, Hardcastle, Harris, Hawley, Higham, Hoffman, Holt, Holton, Johnson (Valley), Keeley, Kelly, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Lincoln, Masters, Merritt, Miller, Moriarity, Morris, Moulton, Murphy, McAfee, Nelson, Nelstead, Parkin, Peat, Peterson, Plank, Plumer, Rice, Ruffcorn, Rupert, Ryder, Sales, Shields, Smith (Beaverhead), Steeves, Stoddard, Throssel, Tinsley, Walton, White, Woods, Wuerthner, Zeh, Mr. Speaker. Total—73.

Noes: None.

Absent and not voting: Bergstrom, Caplis, Castles, Doran, Eaton, Fox, Hedrick, Joffray, Johnson (Fergus), Kennedy, Kinville, Leavens, Lemon, Loble, Meagher, Moss, Mulholland, McCarty, McGrath, Nagle, Patterson, Reed, Schoening, Smith (Lewis and Clark), Strange, Troy, Waite, Walker, Wold. Total—29.

Senate Amendments to House Bill No. 224 were concurred in by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Berryman, Besancon, Brandt, Budas, Campbell, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Flynn, Gordon, Graybill, Green, Hanson, Hardcastle, Harris, Hawley, Hoffman, Holt, Holton, Joffray, Johnson (Valley), Keeley, Kelly, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Lincoln, Masters, Merritt, Miller, Moriarity, Morris, Moulton, Murphy, Nelson, Nelstead, Parkin, Peat, Peterson, Plank, Plumer, Reed, Rice, Ruffcorn, Rupert, Ryder, Sales, Shields, Smith (Beaverhead), Steeves, Stoddard, Throssel, Tinsley, Walton, White, Woods, Wuerthner, Zeh, Mr. Speaker. Total—74.

Noes: None.

Absent and not voting: Bergstrom, Burns, Caplis, Castles, Fox, Hedrick, Higham, Johnson (Fergus), Kennedy, Kinville, Leavens, Lemmon, Loble, Meagher, Moss, Mulholland, McAfee, McCarty, McGrath, Nagle, Patterson, Schoening, Smith (Lewis and Clark), Strange, Troy, Waite, Walker, Wold. Total—28.

Senate amendments to House Bill No. 226 were concurred in by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Besancon, Brandt, Budas, Burns, Campbell, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Fletcher, Flynn, Gordon, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Lincoln, Masters, Miller Moriarity, Morris, Murphy, McAfee, Nelson, Nelstead, Parkin, Peat, Peterson, Plank, Plumer, Rice, Ruffcorn, Rupert, Ryder, Sales, Shields, Smith (Beaverhead), Steeves, Stoddard, Throssel, Tinsley, Walton, White, Woods, Wuerthner, Zeh, Mr. Speaker, Flachsenhar. Total—72.

Noes: None.

Absent and not voting: Bergstrom, Berryman, Caplis, Castles, Fox, Graybill, Green, Hanson, Kennedy, Leavens, Lemmon, Loble, Meagher, Merritt, Moss, Moulton, Mulholland, McCarty, McGrath, Nagle, Patterson, Reed, Schoening, Smith (Lewis and Clark), Strange, Troy, Waite, Walker, Wold, Hardcastle. Total—30.

Senate amendments to House Bill No. 247 were concurred in by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Besancon, Brandt, Budas, Burns, Campbell, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Flynn, Graybill, Green, Hanson, Hardcastle, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Masters, Merritt, Miller, Moriarity, Morris, Moulton, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Reed, Rice, Rupert, Ryder, Sales, Shields, Steeves, Stoddard, Throssel, Tinsley, Walton, White, Woods, Wuerthner, Zeh, Mr. Speaker. Total—76.

Noes: None.

Absent and not voting: Bergstrom, Berryman, Caplis, Castles, Fox, Gordon, Kennedy, Lemmon, Loble, Meagher, Moss, Mulholland, Murphy, McAfee, McCarty, McGrath, Nagle, Ruffcorn, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Strange, Troy, Waite, Walker, Wold. Total—26.

House Bill No. 366, by McAfee, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Berryman, Brandt, Budas, Burns, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Flynn, Gordon, Graybill, Green, Hanson, Hardcastle, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Joffray, Johnson (Valley), Keeley, Kelly, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Masters, Merritt, Miller, Moriarity, Morris, Moulton, Murphy, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Reed, Rice, Rupert, Ryder, Sales, Shields, Steeves, Stoddard, Throssel, Tinsley, Waite, Walton, White, Woods, Wuerthner, Zeh, Mr. Speaker. Total—76.

Noes: None.

Absent and not voting: Bergstrom, Campbell, Caplis, Castles, Eaton, Fox, Johnson (Fergus), Kennedy, Lemmon, Loble, Meagher, Moss, Mul-

holland, McAfee, McCarty, McGrath, Nagle, Ruffcorn, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Strange, Troy, Walker, Wold, Besancon. Total—26.

House Bill No. 426, by Fitzgarrald, et al., having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Andrus, Beadle, Berryman, Brandt, Budas, Burns, Campbell, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Fairgrieve, Fitzgarrald, Flachsenhar, Fletcher, Flynn, Gordon, Graybill, Hanson, Hardcastle, Harris, Hawley, Hedrick, Hoffman, Holt, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Masters, Merritt, Miller, Moriarity, Morris, Moss, Moulton, Murphy, McAfee, Nelson, Nelstead, Parkin, Patterson, Peat, Plank, Plumer, Reed, Rice, Rupert, Ryder, Sales, Shields, Smith (Beaverhead), Steeves, Stoddard, Throssel, Tinsley, Waite, Walton, White, Woods, Wuerthner, Zeh, Mr. Speaker. Total—77.

Noes: Anderson, Fitzgerald. Total—2.

Absent and not voting: Bergstrom, Besancon, Caplis, Castles, Eaton, Fox, Green, Higham, Lemmon, Loble, Meagher, Mulholland, McCarty, McGrath, Nagle, Peterson, Ruffcorn, Schoening, Smith (Lewis and Clark), Strange, Troy, Walker, Wold. Total—23.

Substitute House Bill No. 359, by Committee on Petroleum, Oil and Gas Affairs having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Berryman, Brandt, Budas, Burns, Campbell, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Flynn, Gordon, Graybill, Green, Hanson, Hardcastle, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Joffray, Johnson (Fergus), Keeley, Kelly, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Loble, Masters, Miller, Moriarity, Morris, Moss, Nelson, Nelstead, Parkin, Patterson, Peat, Plank, Plumer, Reed, Rice, Ruffcorn, Rupert, Ryder, Sales, Schoening, Smith (Beaverhead), Steeves, Stoddard, Throssel, Tinsley, Waite, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—78.

Noes: None.

Absent and not voting: Bergstrom, Besancon, Caplis, Castles, Fox, Johnson (Valley), Lemmon, Meagher, Merritt, Moulton, Mulholland, Murphy, McAfee, McCarty, McGrath, Nagle, Peterson, Shields, Smith (Lewis and Clark), Strange, Troy, Walker, Wold, Woods. Total—24.

House Bill No. 4, introduced by Besancon: A Bill for an Act entitled: "An Act for the submission to the qualified electors of the State of Montana of an amendment to Section 13 of Article XII of the Constitution of the State of Montana as amended; relating to the preparation, verification and filing of the quarterly report of the State Treasurer, and eliminating that portion of said section which requires the publication of said report."

Be It Enacted by the Legislative Assembly of the State of Montana:

Section 1. That Section 13 of Article XII of the Constitution of the State of Montana, as amended, be amended as hereinafter provided, and that the question of said amendment be submitted to the qualified electors of the State of Montana at the next general election.

Section 2. That Section 13 of Article XII of the Constitution of the State of Montana, as amended, be, and the same is, hereby amended to read as follows:

"Section 13. The State Treasurer shall keep a separate account of each fund in his hands, and shall at the end of each quarter of the fiscal year report to the governor in writing, under oath, the amount of all



moneys in his hands to the credit of every fund, and the number and amount of every warrant paid or redeemed by him during the quarter. The governor shall examine and verify said report and cause the same to be filed in the office of the State Auditor where the same shall be and remain subject to inspection. The legislative assembly may provide by law further regulations for the safe keeping and management of the public funds in the hands of the Treasurer; but notwithstanding any such regulations the Treasurer and his sureties shall in all cases be held responsible therefor."

Section 3. Separate official ballots shall be provided at the general election to be held in November, 1926, which shall have printed thereon all of Section 13 of Article XII of the Constitution of the State of Montana, as amended, by this Act, and below the same shall be printed the words:

For the above written amendment to the Constitution.

Against the above written amendment to the Constitution.

Each elector shall designate his preference by marking an "X" in the square before the proposition for which such elector desires to vote.

Section 4. The votes cast for and against the amendment above proposed shall be canvassed, determined and declared as provided by the general election laws of the State of Montana.

Section 5. All Acts and parts of Acts in conflict herewith are hereby repealed.

Section 6. This Act shall take effect and be in full force from and after its passage and approval.

The above House Bill No. 4, introduced by Besancon, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Berryman, Brandt, Budas, Burns, Campbell, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Flynn, Gordon, Graybill, Green, Hanson, Hardcastle, Harris, Hawley, Hedrick, Higham, Holt, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kennedy, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Loble, Masters, Merritt, Moriarity, Morris, Moss, Moulton, McAfee, McCarty, Nelson, Nelstead, Parkin, Patterson, Peat, Plank, Plumer, Reed, Rice, Ruffcorn, Rupert, Ryder, Sales, Schoening, Shields, Smith (Beaverhead), Steeves, Stoddard, Throssel, Tinsley, Waite, Walton, White, Woods, Zeh, Mr. Speaker. Total—80.

Noes: None.

Absent and not voting: Bergstrom, Besancon, Caplis, Castles, Fox, Hoffman, Kelly, Kinville, Lemmon, Meagher, Miller, Mulholland, Murphy, McGrath, Nagle, Peterson, Smith (Lewis and Clark), Strange, Troy, Walker, Wold, Wuerthner. Total—22.

House Bill No. 35, by Wuerthner, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Andrus, Beadle, Berryman, Brandt, Budas, Burns, Campbell, Clarke, Cusick, Davis, Dellwo, Donaldson, Duncan, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Flynn, Gordon, Graybill, Hanson, Hawley, Hedrick, Higham, Holt, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Loble, Masters, Merritt, Miller, Moriarity, Moss, Murphy, McCarty, Nelson, Nelstead, Patterson, Peat, Plank, Reed, Rice, Ruffcorn, Ryder, Schoening, Shields, Smith (Beaverhead), Steeves, Stoddard, Throssel, Tinsley, Waite, White, Wuerthner, Zeh, Mr. Speaker. Total—69.

Noes: Anderson, Green, Morris, Moulton, Parkin, Plumer, Sales, Walton. Total—8.

Absent and not voting: Bergstrom, Besancon, Caplis, Castles, Doran, Eaton, Fox, Hardcastle, Harris, Hoffman, Kelly, Lemmon, Meagher, Mulholland, McAfee, McGrath, Nagle, Peterson, Rupert, Smith (Lewis and Clark), Strange, Troy, Walker, Wold, Woods. Total—25.

House Bill No. 37, introduced by Hanson and Brandt: A Bill for an Act entitled: "An Act providing for the submission to the qualified electors of the State of Montana of an amendment to Section 4 of Article XVI of the Constitution, relating to County Commissioners."

Be It Enacted by the Legislative Assembly of the State of Montana:

Section 1. There shall be submitted to be qualified electors of the State of Montana at the next general election to be held in said State, the following amendment to Section 4 of Article VI of the Constitution relating to County Commissioners.

That Section 4 of Article XVI of the Constitution of the State of Montana, be amended so as to read as follows:

Section 4. In each County there shall be elected three County Commissioners, whose term of office shall be six years; provided that each county in the State of Montana shall be divided into three Commissioner Districts, to be designated as Commissioner Districts, One, Two and Three, respectively.

The Board of County Commissioners shall in every county in the State of Montana, at their regular session, on the first Monday in June, 1927, meet and divide their respective counties into three Commissioner Districts as compact and equal in population as possible, and number them respectively, one, two and three; provided, however, that any incorporated city, town, or village shall not be divided into more than one Commissioner District, provided, also, that at the first regular session of any newly organized County, the Commissioners shall divide such new county into Commissioner Districts as herein provided;

Upon such division the Board of County Commissioners shall assign its members to such Districts in the following manner: Each member of the Board now in service shall be assigned to the district in which he is residing or the nearest thereto; the senior member of the Board in service to be assigned to Commissioner District No. 1, the next member in seniority to be assigned to Commissioner District No. 2, and the junior member of the Board to be assigned to Commissioner District No. 3; provided, at the first general election of any newly organized county the Commissioner for District No. 1, shall be elected for two years, for No. 2, for four years, and for No. 3, for six years, and biennially thereafter there shall be one Commissioner elected to take the place of the retiring Commissioner who shall hold his office for six years.

That the Board of County Commissioners for the purpose of equalizing such Commissioner Districts, may change the boundaries of any or all the Commissioner Districts in their respective county, by filing in the office of the County Clerk and Recorder of such county, a certificate designating by metes and bounds the boundary lines of each of said Commissioner Districts, as changed, and such change in any or all the districts in such county, shall become effective from and after filing of such certificate; provided, however, that the boundaries of no Commissioner District shall at any time be changed in such a manner as to affect the term of office of any County Commissioner who has been elected, and whose term of office has not expired; further, that no change in the boundaries of any Commissioner District shall be made within six months next preceding a general election.

At the general election to be held in 1926, and thereafter at each general election, the member or members of the Board to be elected, shall be selected from the residents of the district or districts in which the vacancy occurs, but the election of such member or members of the Board shall be submitted to the entire electorate of the county.



When a vacancy occurs in the Board of County Commissioners, the Judge or Judges of the Judicial District in which the vacancy occurs, shall appoint some one residing in such Commissioner District to fill the office until the next general election; when a Commissioner shall be elected to fill the unexpired term.

Section 2. The vote upon this amendment shall be counted and canvassed by such officials and in such manner as is provided by law for the counting and canvassing of the votes for members of Congress and if a majority of all votes cast at said election for and against said amendment shall be in favor of the amendment, the Governor of the State shall immediately so declare by public proclamation, and said amendment shall be in full force and effect as a part of the Constitution from and after the date of said proclamation.

Section 3. Separate official ballots shall be used at the general election to be held in November, 1926, which shall have printed thereon the words:

"For the amendment to the Constitution relating to County Commissioners."

and

"Against the amendment to the Constitution relating to County Commissioners."

And the elector shall designate his preference for either of the propositions by making an (X) before the proposition desired.

Section 4. All Acts and parts of Acts in conflict herewith are hereby repealed.

Section 5. This Act shall be in full force and effect from and after its passage and approval."

The above House Bill No. 37, introduced by Hanson and Brandt, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Berryman, Brandt, Budas, Burns, Campbell, Clarke, Cusick, Davis, Dellwo, Donaldson, Duncan, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Gordon, Graybill, Hanson, Hawley, Hedrick, Higham, Holt, Holton, Johnson (Fergus), Johnson (Valley), Keeley, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Loble, Masters, Merritt, Miller, Moriarity, Morris, Moss, Murphy, McCarty, Nelson, Nelstead, Parkin, Patterson, Peat, Plank, Reed, Rice, Ruffcorn, Ryder, Sales, Schoening, Shields, Smith (Beaverhead), Steeves, Stoddard, Throssel, Tinsley, Waite, Walton, White, Woods, Wuerthner, Zeh, Mr. Speaker. Total—71.

Noes: Flynn, Green, Moulton, Plumer. Total—4.

Absent and not voting: Bergstrom, Besancon, Caplis, Castles, Doran, Eaton, Fletcher, Fox, Hardcastle, Harris, Hoffman, Joffray, Kelly, Kennedy, Lemmon, Meagher, Mulholland, McAfee, McGrath, Nagle, Peterson, Rupert, Smith (Lewis and Clark), Strange, Troy, Walker, Wold. Total—27.

House Bill No. 99, by Fairgrieve, et al., having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Anderson, Andrus, Beadle, Berryman, Brandt, Budas, Burns, Campbell, Clarke, Davis, Dellwo, Donaldson, Doran, Duncan, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Flynn, Gordon, Graybill, Hanson, Hardcastle, Hawley, Higham, Holton, Johnson (Fergus), Johnson (Valley), Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Loble, Masters, Miller, Moriarity, Morris, Moss, Moulton, Murphy, Nelson, Nelstead, Parkin, Patterson, Peat, Plank, Reed, Rice, Ruffcorn, Sales, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Waite, Walton, Woods, Zeh, Mr. Speaker. Total—68.



Noes: Akofer, Cusick, McCarty, Plumer, Tinsley, Wuerthner. Total—6.

Absent and not voting: Bergstrom, Besancon, Caplis, Castles, Eaton, Fox, Green, Harris, Hedrick, Hoffman, Holt, Joffray, Keeley, Kelly, Lemmon, Meagher, Merritt, Mulholland, McAfee, McGrath, Nagle, Peterson, Rupert, Ryder, Troy, Walker, White, Wold. Total—28.

Substitute House Bill No. 101, by Committee on Highways, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Anderson, Andrus, Beadle, Berryman, Brandt, Budas, Burns, Campbell, Clarke, Davis, Dellwo, Donaldson, Doran, Duncan, Fairgrieve, Fitzgarrald, Flachsenhar, Fletcher, Flynn, Gordon, Graybill, Green, Hardcastle, Hawley, Hedrick, Higham, Holton, Johnson (Fergus), Kinville, Larson (Cascade), Larsen (Sheridan), Lincoln, Loble, Masters, Merritt, Miller, Moriarity, Leavens, Morris, Moss, Moulton, Murphy, McCarty, Nelson, Nelstead, Parkin, Patterson, Plank, Plumer, Rice, Ruffcorn, Sales, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Waite, Walton, White, Woods, Wuerthner, Zeh, Mr. Speaker. Total—68.

Noes: Akofer, Fitzgerald, Ryder, Tinsley. Total—4.

Absent and not voting: Bergstrom, Besancon, Caplis, Castles, Cusick, Eaton, Fox, Hanson, Harris, Hoffman, Holt, Joffray, Johnson (Valley), Keeley, Kelly, Kennedy, Larson (Sheridan), Lemmon, Meagher, Mulholland, McAfee, McGrath, Nagle, Peat, Peterson, Reed, Rupert, Troy, Walker, Wold. Total—30.

Substitute House Bill No. 117, by Majority of Judiciary Committee, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Berryman, Brandt, Budas, Burns, Campbell, Clarke, Davis, Dellwo, Donaldson, Duncan, Fairgrieve, Fitzgarrald, Flachsenhar, Fletcher, Gordon, Graybill, Green, Hanson, Hardcastle, Hawley, Hedrick, Higham, Holton, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Leavens, Masters, Merritt, Morris, Moss, Moulton, Murphy, Nelson, Nelstead, Parkin, Patterson, Peat, Plank, Plumer, Rice, Ruffcorn, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Waite, White, Woods, Wuerthner, Zeh, Mr. Speaker. Total—65.

Noes: Beadle, Besancon, Cusick, Fitzgerald, Flynn, Lincoln, Miller, Moriarity, Ryder, Sales, Tinsley, Walton. Total—12.

Absent and not voting: Bergstrom, Caplis, Castles, Doran, Eaton, Fox, Harris, Hoffman, Holt, Joffray, Larson (Sheridan), Lemmon, Loble, Meagher, Mulholland, McAfee, McGrath, Nagle, Peterson, Reed, Rupert, Troy, Walker, Wold. Total—24.

Present and not voting: McCarty. Total—1.

House Bill No. 234, by Rice, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Clarke, Davis, Dellwo, Donaldson, Doran, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Flynn, Gordon, Graybill, Green, Hanson, Hardcastle, Harris, Hawley, Higham, Holt, Holton, Johnson (Fergus), Johnson (Valley), Keeley, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Loble, Masters, Merritt, Miller, Moriarity, Morris, Moss, Moulton, Murphy, McCarty, Nelson, Nelstead, Patterson, Peat, Peterson, Plank, Plumer, Rice, Ruffcorn, Ryder, Sales, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Tins-

ley, Waite, Walton, White, Woods, Wuerthner, Zeh, Mr. Speaker. Total—79.

Noes: None.

Absent and not voting: Beadle, Bergstrom, Caplis, Castles, Duncan, Fox, Hedrick, Hoffman, Joffray, Kelly, Lemmon, Lincoln, Meagher, Mulholland, McAfee, McGrath, Nagle, Parkin, Reed, Rupert, Troy, Walker, Wold. Total—23.

House Bill No. 265, by Donaldson, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Besancon, Brandt, Budas, Burns, Campbell, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Flynn, Gordon, Graybill, Green, Hanson, Hardcastle, Harris, Hawley, Higham, Holt, Holton, Johnson (Fergus), Johnson (Valley), Keeley, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Lincoln, Masters, Merritt, Miller, Moriarity, Morris, Moss, Moulton, Nelson, Nelstead, Parkin, Patterson, Peat, Plumer, Reed, Rice, Ruffcorn, Sales, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Strange, Throssel, Tinsley, Waite, Walton, Woods, Wuerthner, Zeh, Mr. Speaker. Total—71.

Noes: None.

Absent and not voting: Beadle, Bergstrom, Berryman, Caplis, Castles, Fairgrieve, Fox, Hedrick, Hoffman, Joffray, Kelly, Leavens, Lemmon, Loble, Meagher, Mulholland, Murphy, McAfee, McCarty, McGrath, Nagle, Peterson, Plank, Rupert, Ryder, Shields, Stoddard, Troy, Walker, White, Wold. Total—31.

House Bill No. 357, by Moss, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Flachsenhar, Fletcher, Flynn, Gordon, Graybill, Green, Hanson, Hardcastle, Harris, Hawley, Higham, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Lincoln, Loble, Masters, Merritt, Miller, Moriarity, Moss, Moulton, Murphy, McAfee, Nelson, Nelstead, Parkin, Patterson, Peat, Plank, Rice, Ruffcorn, Sales, Schoening, Smith (Lewis and Clark), Steeves, Stoddard, Throssel, Tinsley, Waite, Walton, White, Woods, Wuerthner, Zeh, Mr. Speaker. Total—72.

Noes: Fitzgerald, Plumer. Total—2.

Absent and not voting: Beadle, Bergstrom, Caplis, Castles, Fitzgarrald, Fox, Hedrick, Hoffman, Holt, Larson (Sheridan), Leavens, Lemmon, Meagher, Morris, Mulholland, McCarty, McGrath, Nagle, Peterson, Reed, Rupert, Ryder, Shields, Smith (Beaverhead), Strange, Troy, Walker, Wold. Total—28.

House Bill No. 369, by Committee on Railroads and Transportation, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Akofer, Anderson, Andrus, Beadle, Brandt, Budas, Campbell, Clarke, Cusick, Donaldson, Doran, Duncan, Fitzgerald, Flachsenhar, Fletcher, Hanson, Hardcastle, Harris, Hawley, Higham, Holt, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Lincoln, Masters, Miller, Moriarity, Moss, Murphy, Nelson, Patterson, Peat, Plank, Reed, Ruffcorn, Sales, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Tinsley, Walton, Wuerthner, Zeh, Mr. Speaker. Total—54.

Noes: Ainsworth, Berryman, Besancon, Burns, Davis, Dellwo, Eaton, Fairgrieve, Fitzgarrald, Gordon, Graybill, Green, Hedrick, Holton, Larson



(Sheridan), Merritt, Moulton, Nelstead, Plumer, Rice, Strange, Throssel, Waite, White, Woods. Total—25.

Absent and not voting: Bergstrom, Caplis, Castles, Flynn, Fox, Hoffman, Leavens, Lemmon, Loble, Meagher, Morris, Mulholland, McAfee, McCarty, McGrath, Nagle, Parkin, Peterson, Rupert, Ryder, Troy, Walker. Wold. Total—23.

Substitute House Bill No. 409, by Committee on Banks and Banking, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Beadle, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Gordon, Graybill, Green, Hanson, Hardcastle, Harris, Hawley, Hedrick, Higham, Hoffman, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Lincoln, Masters, Merritt, Miller, Moriarity, Morris, Moss, Moulton, Murphy, Nelstead, Patterson, Plank, Plumer, Ruffcorn, Sales, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Tinsley, Waite, White, Woods, Wuerthner, Zeh, Mr. Speaker. Total—70.

Noes: Keeley, Kelly, Parkin, Rice, Schoening. Total—5.

Absent and not voting: Andrus, Bergstrom, Caplis, Castles, Flynn, Fox, Holt, Larson (Sheridan), Leavens, Lemmon, Loble, Meagher, Mulholland, McAfee, McCarty, McGrath, Nagle, Nelson, Peat, Peterson, Reed, Rupert, Ryder, Troy, Walker, Walton, Wold. Total—27.

House Bill No. 444, by Davis and Besancon, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Besancon, Brandt, Budas, Burns, Clarke, Cusick, Davis, Dellwo, Donaldson, Duncan, Fairgrieve, Fitzgarrald, Flachsenhar, Fletcher, Flynn, Gordon, Graybill, Green, Hanson, Harris, Hedrick, Higham, Hoffman, Holt, Holton, Johnson (Fergus), Johnson (Valley), Keeley, Kennedy, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Masters, Miller, Morris, Moss, Nelstead, Parkin, Patterson, Plank, Plumer, Ruffcorn, Sales, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Tinsley, Waite, Walton, White, Woods, Wuerthner, Mr. Speaker. Total—64.

Noes: Beadle, Campbell, Doran, Fitzgerald, Hardcastle, Hawley, Joffray, Kelly, Kinville, Loble, Merritt, Moriarity, Moulton, Murphy, Reed, Rice, Walker, Zeh. Total—18.

Absent and not voting: Bergstrom, Berryman, Caplis, Castles, Eaton, Fox, Lemmon, Meagher, Mulholland, McAfee, McCarty, McGrath, Nagle, Nelson, Peat, Peterson, Rupert, Ryder, Troy, Wold. Total—20.

At the request of Moss, there being no objections, House reverted to order of business No. 6:

## MOTIONS AND RESOLUTIONS

Following motion was made, duly seconded and carried:

Helena, February 23, 1925.

Mr. Speaker: We move that from this date no publicity matter relative to any bill under consideration by this House, shall be distributed on the desks of members until the same shall have been displayed to the Speaker and Sergeant-at-Arms, and they are satisfied that the same is properly signed so as to fix responsibility for its contents.

MOSS,  
KEELEY.



## CONSIDERATION OF GENERAL ORDERS

Moved by Ruffcorn, duly seconded and carried, that House now resolve itself into Committee of the Whole for Consideration of General Orders under the same rules of the previous sitting.

Mr. Parkin in the chair.

The committee arose.

The Speaker pro tem in the chair.

The Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration Bills on General Orders, respectfully report as follows: That

House Bill No. 23, Senate amendments, do not concur in, and ask for conference committee.

House Bill No. 145, Senate amendments be concurred in.

House Bill No. 260, Senate amendments be concurred in.

House Bill No. 220, Senate amendments be concurred in.

House Bill No. 177 do pass.

House Bill No. 278 do pass.

House Bill No. 285 do pass.

House Bill No. 364 do pass.

House Bill No. 380 do pass.

House Bill No. 385 be amended as follows:

Section 1, line 18. By striking out the figures "82.25" and inserting in lieu thereof the figures "82.29."

Line 32. By striking out the figures "212.41" and inserting in lieu thereof the figures "201.41."

Line 45. By striking out the figures "460.00" and inserting in lieu thereof the figures "660.00."

Line 49. By striking out the figures "208.00" and inserting in lieu thereof the figures "285.00."

Line 50. By striking the words and figures "Glasgow Independent.....285.00" and inserting in lieu thereof the words and figures, "Glasgow Democrat.....208.00."

Line 56. By striking out the words "Havre Publishing Company," and inserting in lieu thereof the words "Havre Promoter."

Line 55. By striking out the figures "302.00" and inserting in lieu thereof the figures "301.00."

Line 57. By striking out the words "Tribune Promoter" and inserting in lieu thereof the words "Tribune Publishing Company."

Line 58. By striking out the figures "735.25" and inserting in lieu thereof the figures "731.25."

Line 62. By striking out the figures "622.50" and inserting in lieu thereof the figures "262.50."

Line 64. By striking out the words and figures "Popular Standard.....622.50," and inserting in lieu thereof the words and figures, "Poplar Standard.....262.50."

Line 74. By striking out the word "Journal" and inserting in lieu thereof the words "Publishing Company."

And as amended that House Bill No. 385 do pass.

House Bill No. 398 be amended as follows:

Section 2. By inserting in line 2 after the word "appropriated" "out of any money in the State Treasury not otherwise appropriated," and as amended that House Bill No. 398 do pass.

House Bill No. 436 do pass.

E. J. PARKIN, Chairman.

On motion of Parkin, report adopted.

The Committee on Engrossing reported as follows:

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed:

House Bills 372, 348, 320, 318, 420.

BERRYMAN, Chairman.

Moved by Fairgrieve, duly seconded and carried, that House recess until 2:00 P. M.

### AFTERNOON SESSION

House resumed at 2:00 P. M.

Mr. Speaker in the chair.

### THIRD READING OF HOUSE BILLS

House Bill No. 372, by Nelstead, by request, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Besancon, Brandt, Budas, Burns, Castles, Davis, Dellwo, Donaldson, Duncan, Fitzgerald, Flachsenhar, Fletcher, Fox, Gordon, Graybill, Green, Hanson, Harris, Hawley, Higham, Hoffman, Holt, Holton, Joffray, Johnson (Valley), Keeley, Kennedy, Kinville, Larson (Cascade), Larson (Sheridan), Leavens, Lincoln, Loble, Masters, Merritt, Miller, Morris, Moulton, Mulholland, McAfee, McCarty, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Rice, Ruffcorn, Rupert, Ryder, Sales, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Tinsley, Troy, Waite, Walton, White, Woods, Wuerthner, Zeh, Mr. Speaker. Total—75.

Noes: Bergstrom, Cusick, Larsen (Sheridan). Total—3.

Absent and not voting: Campbell, Caplis, Clarke, Doran, Eaton, Fairgrieve, Flynn, Hardcastle, Hedrick, Johnson (Fergus), Kelly, Lemmon, Meagher, Moriarity, Moss, Murphy, McGrath, Nagle, Nelson, Reed, Shields, Walker, Wold. Total—23.

Present but not voting: Berryman. Total—1.

House Bill No. 348, by McAfee, having been read three several times, history and title agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Besancon, Brandt, Budas, Burns, Castles, Clarke, Cusick, Davis, Dellwo, Donaldson, Duncan, Fairgrieve, Fitzgerald, Flachsenhar, Fletcher, Fox, Gordon, Graybill, Green, Hanson, Hawley, Hedrick, Hoffman, Holt, Holton, Joffray, Johnson (Valley), Keeley, Kelly, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Lincoln, Loble, Masters, Merritt, Miller, Moriarity, Morris, Moss, Mulholland, Murphy, McAfee, McCarty, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Ruffcorn, Rupert, Ryder, Sales, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Tinsley, Waite, Walton, White, Woods, Zeh, Mr. Speaker. Total—79.

Noes: None.

Absent and not voting: Berryman, Campbell, Caplis, Doran, Eaton, Flynn, Hardcastle, Harris, Higham, Johnson (Fergus), Leavens, Lemmon, Meagher, Moulton, McGrath, Nagle, Reed, Rice, Shields, Troy, Walker, Wold, Wuerthner. Total—23.

House Bill No. 320, by Shields, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Besancon, Brandt, Budas, Burns, Castles, Clarke, Davis, Dellwo, Donaldson, Eaton, Fairgrieve, Fitzgerald, Flachsenhar, Fletcher, Flynn, Fox, Gordon, Graybill, Green, Hanson, Harris, Hawley, Hedrick, Higham, Hoffman, Holt,

Holton, Johnson (Valley), Keeley, Kelly, Kennedy, Kinville, Larsen (Sheridan), Larson (Sheridan), Lincoln, Masters, Merritt, Miller, Moriarity, Morris, Moss, Moulton, Murphy, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Rice, Ruffcorn, Rupert, Ryder, Sales, Shields, Steeves, Stoddard, Strange, Throssel, Tinsley, Troy, Waite, Walker, Walton, White, Woods, Wuerthner, Zeh, Mr. Speaker. Total—77.

Noes: Loble, McAfee, Nagle, Smith (Lewis and Clark), Smith (Beaverhead). Total—5.

Absent and not voting: Berryman, Campbell, Caplis, Cusick, Doran, Duncan, Fitzgarrald, Hardcastle, Joffray, Johnson (Fergus), Larson (Cascade), Leavens, Lemmon, Meagher, Mulholland, McCarty, McGrath, Nelson, Reed, Schoening, Wold. Total—20.

House Bill No. 318, by Holt, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Besancon, Brandt, Burns, Castles, Clarke, Cusick, Davis, Dellwo, Donaldson, Duncan Eaton, Fairgrieve, Fitzgerald, Flachsenhar, Fletcher, Flynn, Fox, Gordon, Green, Hanson, Harris, Hawley, Hedrick, Hoffman, Holt, Holton, Johnson (Valley), Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Lincoln, Loble, Masters, Merritt, Miller, Moriarity, Moss, Moulton, Mulholland, Murphy, McAfee, Nagle, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Rice, Ruffcorn, Rupert, Ryder, Sales, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Tinsley, Troy, Waite, Walker, Walton, White, Woods, Zeh, Mr. Speaker. Total—77.

Noes: Budas, Higham, Keeley, Kelly, Plumer. Total—5.

Absent and not voting: Berryman, Campbell, Caplis, Doran, Fitzgarrald, Graybill, Hardcastle, Joffray, Johnson (Fergus), Larson (Sheridan), Leavens, Lemmon, Meagher, Morris, McCarty, McGrath, Nelson, Reed, Wold, Wuerthner. Total—20.

The Enrolling Committee reported as follows:

Mr. Speaker: We, your Committee on Enrolling beg leave to report the following house bills correctly enrolled:

House Bills Nos. 204, 284, 82 and 168.

McAFEE, Chairman.

The Speaker gave notice to the House that he was about to sign House Bills Nos. 168, 82, 204 and 284, and thereupon signed same.

House Bill No. 420, by Campbell, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Anderson, Andrus, Beadle, Berryman, Besancon, Brandt, Burns, Castles, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgerald, Flachsenhar, Fletcher, Flynn, Gordon, Graybill, Hanson, Hardcastle, Harris, Hedrick, Higham, Hoffman, Holt, Holton, Johnson (Valley), Keeley, Kelly, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Lincoln, Loble, Masters, Merritt, Miller, Moriarity, Morris, Moss, Moulton, Mulholland, Murhy, McAfee, Nagle, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Rice, Ruffcorn, Rupert, Ryder, Schoening, Shields, Smith (Lewis and Clark), Steeves, Stoddard, Strange, Throssel, Waite, Walker, White, Woods, Zeh, Mr. Speaker. Total—75.

Noes: Akofer, Bergstrom, Budas, Plumer, Sales, Smith (Beaverhead), Tinsley, Walton. Total—8.

Absent and not voting: Campbell, Caplis, Fitzgarrald, Fox, Green, Hawley, Joffray, Johnson (Fergus), Larson (Sheridan), Leavens, Lemmon, Meagher, McCarty, McGrath, Nelson, Reed, Troy, Wold, Wuerthner. Total—19.

At the request of Hanson, there being no objections, House reverted to Order of Business No. 4:



## REPORTS OF STANDING COMMITTEES

The following reports were received from Standing Committees:

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration Senate Bill No. 119, introduced by Pauline, respectfully report as follows: That Senate Bill No. 119, be not concurred in.

SALES, Chairman.

On motion of Sales, report adopted.

Mr. Speaker: We, your Committee on Mileage and Per Diem, beg leave to submit the following supplemental report, indicating the number of miles traveled by the following members of the House and the sums due them therefor:

Name	City	Miles	Amt.
Merritt, Clarence—	Roundup	40 additional miles @ 10	4.00
Woods, R. J.—	Winnett	540 @ 10	54.00

Respectfully submitted,

WILLIAM P. FLYNN,  
F. E. LINCOLN,  
F. L. GRAYBILL,  
A. T. LARSEN,  
W. E. CLARKE.

February 23rd, 1925.

On motion of Flynn, report adopted.

Mr. Speaker: We, your Committee on Internal Improvements, having had under consideration Senate Bill No. 88, introduced by Church, respectfully report as follows: That Senate Bill No. 88 be concurred in.

LARSEN, Chairman.

On motion of Larsen, report adopted.

## CONSIDERATION OF GENERAL ORDERS

Moved by Ruffcorn, duly seconded and carried, that House now resolve itself into Committee of the Whole for Consideration of General Orders under rules of previous sitting.

Mr. Moss in the chair.

The committee arose.

Speaker Pro-Tem in chair.

The Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole having had under consideration bills on General Orders, respectfully report as follows:

Senate Bill No. 29 be concurred in.

Senate Bill No. 42 be passed for the time being.

Senate Bill No. 45 be amended as follows:

Section 1. By striking out in line 9, the word and figure 5 and inserting in lieu thereof the word "ten."

Line 14. By striking out the words "assessed valuation" and inserting in lieu thereof the words "basis for taxation."

And as amended Senate Bill No. 45 be concurred in.

Senate Bill No. 52 be amended as follows:

Section 1. By inserting in line 23, after the word "therein," the words "Federal Land Bank Bonds," and in the last line of said section.

And as so amended, Senate Bill No. 52 be concurred in.

Senate Bill No. 56 be amended as follows:

Section 1. By striking out in line 7 the words "twenty (20)" and inserting in lieu thereof the words and figures "thirty (30)."

And as so amended, Senate Bill No. 56 be concurred in.

Senate Bill No. 82 be passed for the time being.

Senate Bill No. 84 be concurred in.

Senate Bill No. 96 be referred to Judiciary Committee.

Senate Bill No. 18 be not concurred in and a conference committee requested.

Senate Bill No. 6 be concurred in.

Senate Bill No. 20 be concurred in.

Senate Bill No. 36 be amended as follows:

Section 1. By inserting at beginning of line 3, "Section 4143," and as so amended, Senate Bill No. 36 be concurred in.

MOSS, Chairman.

On motion of Moss, report adopted.

There being no objection, House reverted to Order of Business No. 9:

### THIRD READING OF HOUSE BILLS

The Committee on Engrossing reported as follows:

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed:

House Bills Nos. 335, 374, 380, 389, 355, 364 and 438.

BERRYMAN, Chairman.

House Bill No. 380, by Joffray, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Anderson, Andrus, Beadle, Bergstrom, Berryman, Brandt, Burns, Campbell, Clarke, Doran, Eaton, Fitzgarrald, Fitzgerald, Flynn, Fox, Graybill, Green, Harcastle, Harris, Hawley, Hedrick, Hoffman, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kennedy, Kinville, Larsen (Sheridan), Leavens, Loble, Miller, Morris, Moss, Moulton, Muhlolland, Murphy, McCarty, Nagle, Nelson, Parkin, Patterson, Peterson, Reed, Rice, Rupert, Ryder, Sales, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Stoddard, Strange, Throssel, Tinsley, Troy, Walker, Walton, White, Woods, Wuerthner, Zeh, Mr. Speaker. Total—65.

Noes: Ainsworth, Besancon, Budas, Castles, Cusick, Dellwo, Donaldson, Duncan, Fairgrieve, Flachsenhar, Fletcher, Gordon, Higham, Holt, Larson (Cascade), Lincoln, Masters, Merritt, Moriarity, Nelstead, Peat, Plank, Plumer, Steeves, Waite, Wold. Total—26.

Absent and not voting: Akofer, Caplis, Davis, Hanson, Holton, Larsen (Sheridan), Lemmon, Meagher, McAfee, McGrath, Ruffcorn. Total—11.

Mr. Speaker in the chair.

There being no objections House reverted to Order of Business No. 6:

### MOTIONS AND RESOLUTIONS

Moved by Schoening, duly seconded, that House reconsider its action of yesterday on House Bill No. 67.

Moved by Donaldson, as substitute motion, duly seconded, that motion to reconsider action on House Bill No. 67 be laid on the table.

Call of the House is demanded, seconded by 15 members.

Moved by Kinville, duly seconded, that further action on call of the House be dispensed with.

Question arising on motion to dispense with further action on call of the House, same failed.

The Clerk called the roll of the House and found Hansen, Meagher, McGrath, and McAfee absent.

Moved by Bergstrom, duly seconded and carried, that further action on call of the House be dispensed with.

Question now arising on motion by Donaldson that motion to reconsider action on House Bill No. 67, be laid on the table, roll call having been demanded by Troy, the motion is carried by the following vote:

Ayes: Akofer, Burns, Campbell, Clarke, Davis, Donaldson, Doran, Eaton, Fairgrieve, Fitzgerald, Fitzgarrauld, Flachsenhar, Flynn, Fox, Graybill, Green, Harris, Hawley, Hedrick, Higham, Hoffman, Joffray, Johnson (Fergus), Keeley, Kelly, Kennedy, Kinville, Leavens, Loble, Masters, Morris, Moss, Moulton, Murphy, Nagle, Nelstead, Peat, Reed, Rice, Rupert, Shields, Smith (Beaverhead), Stoddard, Tinsley, Walker, White, Wold, Zeh, Woods, Mr. Speaker. Total—50.

Noes: Ainsworth, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Castles, Cusick, Dellwo, Duncan, Fletcher, Gordon, Hardcastle, Holton, Holt, Johnson (Valley), Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Lincoln, Merritt, Miller, Moriarity, Mulholland, McCarty, Nelson, Parkin, Patterson, Peterson, Plank, Plumer, Ruffcorn, Ryder, Sales, Schoening, Steeves, Strange, Throssel, Troy, Waite, Walton, Wuerthner. Total—45.

Absent and not voting: Caplis, Hanson, Lemmon, Meagher, McAfee, McGrath, Smith (Lewis and Clark). Total—7.

Moved by Davis, duly seconded, that House reconsider its action to lay motion to reconsider action on House Bill No. 67 on table.

Moved by Troy, as substitute motion, that Motion by Davis be laid on the table.

Question arising on motion to lay motion by Davis on the table, same carried.

Moved by Moss, duly seconded, that Speaker appoint a committee of three to confer with the Senate upon the possibility of adjourning sine die on the 55th legislative day.

Question arising on motion by Moss, same failed.

At the request of Ruffcorn, there being no objection, House reverted to Order of Business No. 9:

### THIRD READING OF HOUSE BILLS

House Bill No. 374, by Schoening, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Andrus, Beadle, Bergstrom, Besancon, Brandt, Budas, Burns, Campbell, Castles, Clarke, Davis, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrauld, Flachsenhar, Gordon, Graybill, Green, Hawley, Higham, Holt, Joffray, Johnson (Valley), Johnson (Fergus), Keeley, Kelly, Kinville, Larsen (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Loble, Masters, Miller, Moriarity, Morris, Moss, Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Parkin, Patterson, Peterson, Reed, Rice, Ruffcorn, Ryder, Sales, Schoening, Shields, Steeves, Stoddard, Strange, Throssel, Troy, Walton, White, Woods, Wuerthner, Zeh, Mr. Speaker. Total—70.

Noes: Anderson, Cusick, Dellwo, Fitzgerald, Fletcher, Flynn, Harris, Hedrick, Hoffman, Holton, Plank, Plumer, Rupert, Smith (Beaverhead), Tinsley, Walker. Total—16.

Absent and not voting: Berryman, Caplis, Fox, Hanson, Hardcastle, Kennedy, Lemmon, Meagher, Merritt, McAfee, McCarty, McGrath, Peat, Smith (Lewis and Clark), Wold. Total—15.

Present and not voting: Waite. Total—1.

Substitute House Bill No. 438, by Committee on Ways and Means, having been read three several times, failed to pass by the following vote:



Ayes: Ainsworth, Bergstrom, Besancon, Brandt, Burns, Castles, Cusick, Dellwo, Donaldson, Duncan, Eaton, Fitzgarrald, Flachsenhar, Flynn, Gordon, Graybill, Hanson, Harris, Hedrick, Holt, Holton, Johnson (Valley), Larson (Cascade), Larsen (Sheridan), Lincoln, Morris, Moss, McAfee, McCarty, Nelstead, Parkin, Peat, Peterson, Plank, Reed, Rice, Ruffcorn, Ryder, Sales, Shields, Smith (Beaverhead), Strange, Tinsley, Walton, Wuerthner, Berryman. Total—46.

Noes: Akofer, Anderson, Andrus, Beadle, Budas, Campbell, Clarke, Davis, Doran, Fairgrieve, Fitzgerald, Fletcher, Fox, Green, Hardcastle, Hawley, Higham, Hoffman, Joffray, Johnson (Fergus), Keeley, Kelly, Kinville, Larson (Sheridan), Leavens, Loble, Masters, Merritt, Miller, Moriarity, Moulton, Mulholland, Murphy, Nagle, Nelson, Patterson, Plumer, Rupert, Schoening, Steeves, Stoddard, Throssel, Troy, Waite, Walker, White, Woods, Zeh, Mr. Speaker. Total—49.

Absent and not voting: Caplis, Kennedy, Lemmon, Meagher, McGrath, Smith (Lewis and Clark), Wold. Total—7.

House Bill No. 364, by Harris, having been read three several times, second and third times at length, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Castles, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Flynn, Gordon, Graybill, Green, Hanson, Hardcastle, Hawley, Harris, Hedrick, Higham, Hoffman, Holt, Holton, Joffray, Johnson (Fergus), Keeley, Kelly, Kennedy, Kinville, Larsen (Sheridan), Larson (Sheridan), Leavens, Masters, Lincoln, Loble, Merritt, Miller, Moriarity, Morris, Moss, Moulton, Mulholland, Murphy, McCarty, Nagle, Nelson, Nelstead, Patterson, Parkin, Peat, Peterson, Plank, Plumer, Reed, Rice, Ruffcorn, Sales, Schoening, Shields, Smith (Beaverhead), Stoddard, Strange, Steeves, Throssel, Tinsley, Troy, Waite, Walker, Walton, White, Woods, Zeh, Mr. Speaker. Total—87.

Noes: None.

Absent and not voting: Caplis, Fairgrieve, Fox, Johnson (Valley), Larson (Cascade), Lemmon, Meagher, McAfee, McGrath, Rupert, Ryder, Troy, Wold, Wuerthner, Smith (Lewis and Clark). Total—15.

At this point, Holt and Besancon were excused for the balance of the day.

At the request of Merritt, there being no objections, House reverted to Order of Business No. 6:

### MOTIONS AND RESOLUTIONS

Moved by Merritt, duly seconded, that House reconsider its action on House Bill No. 438.

Moved by Joffray, as substitute motion, that motion to reconsider action on House Bill No. 438 be laid on the table.

Question arising on substitute motion, roll call having been demanded by Beadle, the same is carried by the following vote:

Ayes: Akofer, Anderson, Andrus, Beadle, Budas, Campbell, Clarke, Davis, Doran, Fairgrieve, Fitzgerald, Fox, Green, Hanson, Hardcastle, Hawley, Hoffman, Joffray, Johnson (Fergus), Keeley, Kelly, Kennedy, Kinville, Larson (Sheridan), Leavens, Loble, Masters, Miller, Moriarity, Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Patterson, Peat, Plumer, Rupert, Shields, Stoddard, Throssel, Troy, Waite, Walker, White, Woods, Zeh, Mr. Speaker. Total—49.

Noes: Ainsworth, Bergstrom, Berryman, Besancon, Brandt, Burns, Castles, Cusick, Dellwo, Donaldson, Duncan, Eaton, Fitzgarrald, Flachsenhar, Fletcher, Flynn, Gordon, Graybill, Harris, Hedrick, Holton, Johnson (Valley), Larson (Cascade), Larsen (Sheridan), Lincoln, Merritt, Morris, Moss, McCarty, Parkin, Peterson, Plank, Reed, Rice, Ruffcorn, Ryder,

Sales, Schoening, Smith (Beaverhead), Steeves, Strange, Tinsley, Walton, Wuerthner. Total—44.

Paired: Higham, Holt. Total—2.

Absent and not voting: Caplis, Lemmon, Meagher, McAfee, McGrath, Smith (Lewis and Clark), Wold. Total—7.

At the request of Johnson of Fergus, there being no objections, House reverted to Order of Business No. 4:

### REPORTS OF STANDING COMMITTEES

The following reports were received from Standing Committees:

Mr. Speaker: We, your Committee on Banks and Banking, having had under consideration Senate Bill No. 57, introduced by Committee on Banks and Banking, respectfully report as follows:

That Senate Bill No. 57 be concurred in.

JOHNSON of Fergus, Chairman.

On motion of Johnson of Fergus, report adopted.

Mr. Speaker: We, your Committee on Banks and Banking, having had under consideration Senate Bill No. 139, introduced by Oliver, respectfully report as follows:

That Senate Bill No. 139 be concurred in.

JOHNSON of Fergus, Chairman.

On motion of Johnson of Fergus, report adopted.

At the request of Ruffcorn, there being no objections, House reverted to Order of Business No. 6:

### MOTIONS AND RESOLUTIONS

Moved by Ruffcorn, duly seconded and carried, that the Chief Clerk be instructed to receive Senate Bills up to 12:00 o'clock midnight, of the 50th day.

Moved by Loble, duly seconded and carried, that House now be on Order of Business No. 9:

### THIRD READING OF HOUSE BILLS

House Bill No. 355, by Beadle, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Brandt, Budas, Burns, Campbell, Castles, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Flynn, Fox, Gordon, Graybill, Green, Hanson, Hawley, Hedrick, Higham, Hoffman, Holton, Joffray, Johnson (Valley), Keeley, Kelly, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Lincoln, Loble, Masters, Merritt, Miller, Moriarity, Morris, Moss, Moulton, Mulholland, Murphy, McAfee, McCarty, Nagle, Nelson, Nelstead, Parkin, Peterson, Plank, Rice, Ruffcorn, Schoening, Shields, Throssel, Tinsley, Troy, Waite, Walker, Walton, White, Woods, Wuerthner, Zeh, Mr. Speaker. Total—77.

Noes: Sales. Total—1.

Absent and not voting: Besancon, Caplis, Fairgrieve, Hardcastle, Harris, Holt, Johnson (Fergus), Larson (Sheridan), Lemmon, Meagher, McGrath, Patterson, Peat, Plumer, Reed, Rupert, Ryder, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Strange, Wold, Leavens. Total—24.

The Committee on Engrossing reported as follows:

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed:

House Bills No. 177, No. 398, No. 285, No. 436, No. 278, No. 385.

BERRYMAN, Chairman.

House Bill No. 389, by Committee on Waterways and Navigation, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Andrus, Beadle, Bergstrom, Berryman, Brandt, Burns, Campbell, Castles, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fitzgerald, Flachsenhar, Fletcher, Flynn, Fox, Gordon, Green, Hawley, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Kelly, Kennedy, Kinville, Larsen (Sheridan), Leavens, Lincoln, Loble, Masters, Merritt, Miller, Moriarity, Morris, Moss, Moulton, Mulholland, Murphy, McAfee, McCarty, Nagle, Nelson, Nelstead, Patterson, Peterson, Plank, Plumer, Reed, Rice, Ruffcorn, Rupert, Smith (Beaverhead), Steeves, Strange, Tinsley, Troy, Waite, Walker, Walton, White, Wold, Woods, Zeh, Mr. Speaker. Total—72.

Noes: Anderson, Budas, Keeley, Larson (Cascade), Parkin, Peat, Sales, Schoening, Shields, Higham. Total—10.

Absent and not voting: Besancon, Caplis, Fairgrieve, Fitzgarrald, Graybill, Hanson, Hardcastle, Harris, Hedrick, Hoffman, Holt, Larson (Sheridan), Lemmon, Meagher, McGrath, Ryder, Smith (Lewis and Clark), Stoddard, Throssel, Wuerthner. Total—20.

House Bill No. 335, by Burns, by request, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Andrus, Bergstrom, Berryman, Brandt, Budas, Burns, Campbell, Castles, Clarke, Davis, Dellwo, Doran, Duncan, Eaton, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Flynn, Fox, Gordon, Graybill, Green, Hanson, Hawley, Higham, Hoffman, Joffray, Johnson (Fergus), Johnson (Valley), Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Loble, Masters, Miller, Moriarity, Moss, Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Reed, Rice, Ruffcorn, Sales, Shields, Smith (Beaverhead), Stoddard, Strange, Tinsley, Waite, Walton, White, Woods, Zeh, Morris, Mr. Speaker. Total—70.

Noes: Anderson, Keeley, McAfee. Total—3.

Absent and not voting: Akofer, Beadle, Besancon, Caplis, Cusick, Donaldson, Fairgrieve, Hardcastle, Harris, Hedrick, Holt, Holton, Kelly, Kennedy, Lemmon, Meagher, Merritt, McCarty, McGrath, Rupert, Ryder, Schoening, Smith (Lewis and Clark), Steeves, Throssel, Troy, Walker, Wold, Wuerthner. Total—29.

House Bill No. 177, by Committee on Livestock and Public Ranges, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Brandt, Budas, Campbell, Castles, Cusick, Clarke, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Gordon, Graybill, Green, Hanson, Hardcastle, Harris, Hawley, Hedrick, Higham, Hoffman, Joffray, Johnson (Fergus), Keeley, Kelly, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Loble, Masters, Merritt, Miller, Moriarity, Morris, Moss, Moulton, Mulholland, Murphy, McAfee, Nagle, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plumer, Reed, Rice, Ruffcorn, Sales, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Tinsley, Waite, Walker, Walton, White, Woods, Mr. Speaker. Total—81.

Noes: None.



Absent and not voting: Besancon, Burns, Caplis, Flynn, Fox, Holt, Holton, Johnson (Valley), Lemmon, Meagher, McCarty, McGrath, Plank, Rupert, Ryder, Strange, Throssel, Troy, Wold, Wuerthner, Zeh. Total—21.

House Bill No. 398, by Nagle, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Brandt, Budas, Burns, Campbell, Castles, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Flynn, Fox, Graybill, Green, Hanson, Hardcastle, Harris, Hawley, Hedrick, Higham, Hoffman, Holton, Joffray, Johnson (Fergus), Keeley, Kennedy, Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Loble, Masters, Merritt, Miller, Moriarity, Morris, Moss, Moulton, Mulholland, Murphy, McAfee, Nagle, Nelstead, Parkin, Patterson, Peat, Plank, Plumer, Reed, Ruffcorn, Rupert, Ryder, Sales, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Tinsley, Waite, Walker, Walton, White, Wuerthner, Woods, Zeh, Mr. Speaker. Total—85.

Noes: None.

Absent and not voting: Besancon, Caplis, Gordon, Holt, Johnson (Valley), Kelly, Kinville, Larson (Cascade), Lemmon, Meagher, McCarty, McGrath, Nelson, Peterson, Rice, Troy, Wold. Total—17.

House Bill No. 285, by Kennedy, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Brandt, Budas, Campbell, Castles, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Flynn, Fox, Gordon, Graybill, Hanson, Harris, Hawley, Higham, Hoffman, Holton, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Loble, Masters, Merritt, Miller, Moriarity, Morris, Moulton, Mulholland, Murphy, McAfee, Nagle, Nelson, Patterson, Peat, Peterson, Plank, Plumer, Ruffcorn, Ruffcorn, Rupert, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Strange, Throssel, Tinsley, Waite, Walker, White, Wold, Woods, Wuerthner, Mr. Speaker. Total—75.

Noes: Green, Nelstead, Parkin, Sales, Walton. Total—5.

Absent and not voting: Besancon, Burns, Caplis, Eaton, Fletcher, Hardcastle, Hedrick, Holt, Joffray, Lemmon, Lincoln, Meagher, Moss, McCarty, McGrath, Reed, Rice, Ryder, Shields, Troy, Zeh. Total—21.

Present and not voting: Stoddard. Total—1.

The Committee on Enrolling reported as follows:

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled:

House Bills No. 226, No. 174, No. 224, No. 252, No. 197, No. 247.

W. T. WAITE, Vice Chairman.

The Speaker gave notice that he was about to sign House Bills No. 226, No. 174, No. 224, No. 252, No. 197, No. 247, and thereupon signed the same.

House Bill No. 436, by Wold, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Andrus, Beadle, Bergstrom, Berryman, Brandt, Budas, Burns, Campbell, Castles, Clarke, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Fox, Gordon, Graybill, Green, Hanson, Hardcastle, Hawley, Higham, Hoffman, Joffray, Johnson (Fergus), Keeley, Kelly, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Leavens, Loble, Masters, Merritt, Moriarity, Morris, Moss, Moulton, Mulholland, Murphy, McAfee, Nagle, Nelson, Parkin, Patterson, Peat, Peterson, Plank, Reed, Rupert, Ryder, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard,

Strange, Throssel, Tinsley, Waite, Walker, Walton, White, Wold, Woods, Wuerthner, Zeh, Holton, Mr. Speaker. Total—78.

Noes: Anderson, Larson (Sheridan), Lincoln, Miller, Plumer. Total—5.

Absent and not voting: Besancon, Caplis, Cusick, Davis, Fletcher, Flynn, Harris, Hedrick, Holt, Johnson (Valley), Lemmon, Meagher, McCarty, McGrath, Nelstead, Rice, Ruffcorn, Sales, Troy. Total—19.

House Bill No. 278, by Loble, et al., having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Andrus, Beadle, Bergstrom, Berryman, Budas, Burns, Campbell, Castles, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Fox, Gordon, Graybill, Green, Hanson, Hardcastle, Harris, Hawley, Higham, Hoffman, Holton, Joffray, Johnson (Fergus), Kelly, Kennedy, Kinville, Larson (Cascade), Leavens, Loble, Merritt, Morris, Moss, Moulton, Mulholland, Murphy, McAfee, Nagle, Nelson, Parkin, Peterson, Plank, Plumer, Reed, Ruffcorn, Rupert, Ryder, Sales, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Waite, Walker, Walton, Wold, Woods, Wuerthner, Zeh, Mr. Speaker. Total—74.

Noes: Anderson, Keeley, Larsen (Sheridan), Miller, Moriarity, Patterson, Peat, Tinsley, White, Larson (Sheridan). Total—10.

Absent and not voting: Akofer, Besancon, Brandt, Caplis, Fletcher, Flynn, Hedrick, Holt, Johnson (Valley), Lemmon, Lincoln, Masters, Meagher, McCarty, McGrath, Nelstead, Rice, Troy. Total—18.

The Committee on Engrossing reported as follows:

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed:

House Bills Nos. 418 and 423.

BERRYMAN, Chairman.

House Bill No. 385, by Committee on Appropriations, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Anderson, Beadle, Bergstrom, Berryman, Budas, Burns, Campbell, Castles, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Gordon, Graybill, Green, Hanson, Hardcastle, Hawley, Hedrick, Higham, Holton, Joffray, Keeley, Kelly, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Loble, Masters, Merritt, Miller, Moriarity, Morris, Moss, Mulholland, Murphy, McCarty, Nagle, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Ruffcorn, Rupert, Ryder, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Stoddard, Strange, Throssel, Tinsley, Waite, Walker, White, Wold, Woods, Wuerthner, Zeh, Mr. Speaker. Total—75.

Noes: None.

Absent and not voting: Akofer, Andrus, Besancon, Brandt, Caplis, Eaton, Fletcher, Flynn, Fox, Harris, Hoffman, Holt, Johnson (Fergus), Johnson (Valley), Lemmon, Meagher, Moulton, McAfee, McGrath, Nelson, Nelstead, Reed, Rice, Sales, Steeves, Troy, Walton. Total—27.

House Bill No. 418, by Loble, by request, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Anderson, Bergstrom, Berryman, Budas, Burns, Campbell, Castles, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Fox, Gordon, Graybill, Green, Hanson, Hardcastle, Hawley, Higham, Joffray, Johnson (Fergus), Keeley, Kennedy, Kinville, Larson (Cascade), Larsen (Sheri-



dan), Larson (Sheridan), Leavens, Lincoln, Loble, Masters, Merritt, Miller, Moriarity, Morris, Moulton, Mulholland, Murphy, McCarty, Parkin, Peat, Peterson, Plank, Plumer, Ruffcorn, Ryder, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Throssel, Tinsley, Waite, Walker, Walton, White, Woods, Wuerthner, Zeh, Mr. Speaker. Total—70.

Noes: Patterson. Total—1.

Absent and not voting: Akofer, Andrus, Beadle, Besancon, Brandt, Caplis, Eaton, Fletcher, Flynn, Harris, Hedrick, Hoffman, Holt, Holton, Johnson (Valley), Kelly, Lemmon, Meagher, Moss, McAfee, McGrath, Nagle, Nelson, Nelstead, Reed, Rice, Rupert, Sales, Strange, Troy, Wold. Total—31.

House Bill No. 423, by Stoddard, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Anderson, Beadle, Bergstrom, Budas, Burns, Campbell, Castles, Clarke, Cusick, Dellwo, Donaldson, Doran, Duncan, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Fox, Gordon, Hanson, Hardcastle, Harris, Hawley, Higham, Hoffman, Joffray, Johnson (Fergus), Keeley, Kelly, Kinville, Larsen (Sheridan), Larson (Sheridan), Lincoln, Loble, Masters, Merritt, Miller, Moriarity, Morris, Moss, Moulton, Mulholland, Murphy, McAfee, Nagle, Patterson, Peterson, Plank, Plumer, Ruffcorn, Ryder, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Throssel, Tinsley, Troy, Waite, Walker, Walton, White, Wold, Woods, Mr. Speaker. Total—66.

Noes: Berryman, Graybill, Green, Larson (Cascade), Parkin, Peat, Sales, Schoening, Shields, Wuerthner. Total—10.

Absent and not voting: Akofer, Andrus, Besancon, Brandt, Caplis, Davis, Eaton, Fletcher, Flynn, Hedrick, Holt, Holton, Johnson (Valley), Kennedy, Leavens, Lemmon, Meagher, McCarty, McGrath, Nelson, Nelstead, Reed, Rice, Rupert, Strange, Zeh. Total—26.

The Speaker at this point announced the Conference Committee called for consideration of Senate amendments to House Bill No. 23 as follows: Moss of Flathead, Gordon of Hig Horn, Besancon of Missoula.

The Speaker announced the Conference Committee for Senate Bill No. 18 as follows: Holt of Cascade, Burns of Blaine, Loble of Lewis and Clark.

At the request of Flachsenhar, there being no objections, House reverted to Order of Business No. 7:

## CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

The following message was received from the Senate:

Helena, Montana, February 23, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that, on motion of Senator Oliver, duly made and seconded, return of House Bill No. 95 is requested, for further consideration.

Respectfully,

J. F. CONE, Secretary of Senate.

At the request of Flachsenhar, there being no objections, House reverted to Order of Business No. 6:

## MOTIONS AND RESOLUTIONS

Flachsenhar asked unanimous consent of the House to dispense with Rule 28 in respect to reconsideration of action on House Bill No. 95.

The Speaker directed that the Journal show that Rule 28 has been dispensed with in respect to House Bill No. 95.

Moved by Flachsenhar, duly seconded and carried, that House reconsider its action of February 21st on House Bill No. 95.



Moved by Flachsenhar, duly seconded and carried, that request of the Senate that House Bill No. 95 be returned to the Senate, be granted.

Moved by Ruffcorn, duly seconded and carried, that House adjourn until 9:30 A. M., Tuesday, February 24, 1925.

R. C. BRICKER, Speaker.

Attest: H. J. FAUST, Chief Clerk.

## FIFTY-FIRST DAY

House of Representatives,  
Helena, Montana, February 25, 1925.

House met pursuant to adjournment at 9:30 A. M.

Mr. Speaker in the chair.

Prayer by the Chaplain.

On roll call all present except Loble, excused; Lemmon, excused on account of sick; Fox and McGrath, absent.

The Committee on Journal reported as follows:

Mr. Speaker: We, your Committee on Journal, have this day examined the Journal for the 50th legislative day and found the same correct.

PEARL I. SMITH, Chairman.

On motion of Smith, report adopted.

## INTRODUCTION OF BILLS AND MEMORIALS

The following bills were read first and second times by title only and referred to committees as follows:

Senate Joint Resolution No. 7, introduced by Conser: "Relating to Normal Schools." Referred to Education Committee.

Senate Bill No. 89, by Peterson: "An Act amending Section 1928 of the Revised Codes of Montana of 1921, as amended by Section 1 of Chapter 6 of the Session Laws of the Eighteenth Legislative Assembly of Montana of 1923; repealing Sections 1929 to 1937 inclusive and Sections 1939 to 1929 inclusive of the Revised Codes of Montana of 1921 and Sections 2, 3, 4 and 5 of Chapter 6 of the Session Laws of the Eighteenth Legislative Assembly of Montana of 1923, all relating to the manner of investment of money belonging to the Permanent Common School funds and to other permanent educational, charitable and penal institutions." Referred to Education.

Senate Bill No. 91, by Linn: "An Act to amend Section 10030 of the Revised Codes of Montana of 1921, relating to the probate of wills." Referred to Judiciary Committee.

Senate Bill No. 97, by Committee on Education: "An Act providing for a budget system for making and controlling estimates, expenditures and tax levies by school districts and county high schools." Referred to Committee on Education.

Senate Bill No. 98, by McCormick, Snitzler, McQuitty and Dowlin: "An Act to amend Section 4464 of the Revised Codes of Montana of 1921, relating to the compensation, mileage and expenses of members of the Boards of County Commissioners." Referred to Townships and Counties.

Senate Bill No. 111, by Walker: "An Act to simplify and coordinate administration by changing the name of the Board of Railroad Commissioners of the State of Montana to 'Public Service Commission of Montana;' by keeping the name 'Public Service Commission;' by changing the name of the Montana Trade Commission to 'Public Service Commission of Montana;' and by changing the name of the Montana Irrigation Commission to 'Public Service Commission of Montana.'" Referred to Committee on State Boards and Officers.

Senate Bill No. 114, by Clarke: "An Act authorizing the State Board of Examiners, for and on behalf of the State of Montana, to sell treasury notes of the State of Montana, with interest coupons attached, in the sum of three million seven hundred fifty thousand dollars (\$3,750,000.00), for the purpose of paying and refunding outstanding warrants chargeable against the General Fund of the State of Montana; making provisions as to the terms and conditions thereof, and directing the disposition of the proceeds thereof; providing for the repayment of the same and the interest thereon; and creating, for the purpose of such repayment out of any moneys accruing to the General Fund to be known as the 'Treasury Note Redemption Funds' and authorizing the issuance of such series of treasury notes, and making an appropriation for the payment of all expenses incident to the issuance and sale of said notes." Referred to Appropriations Committee.

Senate Bill No. 128, by Oliver: "An Act to amend Section 1755 of Chapter 135 of the Revised Codes of Montana of 1921, as amended by Chapter 107 of the Laws of the Eighteenth Legislative Assembly, relating to the registrar of motor vehicles, motor dealers, and of chauffeurs, and providing for deputy and his salary and bond of the registrar and transfer of all books, records, files and office equipment." Referred to Committee on Highways.

Substitute Senate Bill No. 133, by Committee on Finance and Claims: "An Act to amend Section 221 of the Revised Codes of Montana of 1921 as amended by Chapter 93 of the Laws of the Eighteenth Legislative Assembly and to repeal Chapter 13 of the Laws of the Eighteenth Legislative Assembly as being in conflict therewith, all relating to the fees of the State Examiner." Referred to Appropriations Committee.

Substitute Senate Bill No. 138, by Judiciary Committee: "An Act to permit the organization of irrigation districts by the owners of water-rights, having a common source of supply and a single intake from such common source of supply, for the purposes of operation and administration of said system without the necessity of the acquisition by such irrigation district of the existing water-rights, system or works owned by the respective water-right owners within the district, and conferring on such districts the powers, duties and status of public corporations organized under the irrigation district law of the State of Montana." Referred to Committee on Irrigation and Water-Rights.

Senate Bill No. 145, by Page: "An Act to amend Section 3653 of Chapter 255 of the Revised Codes of Montana of 1921, relating to powers and duties of Fish and Game Commission." Referred to Fish and Game Committee.

Senate Bill No. 155, by Cooper: "An Act to amend Section 6 of Chapter 154, Session Laws of 1923, relating to bonds and insurance policies required to be filed under said Act." Referred to Insurance Committee.

Senate Bill No. 156, by Stewart: "An Act to amend Section 12427 of the Revised Codes of Montana, 1921, relating to fugitives from this State and payment of expenses for return of such fugitives." Referred to Judiciary Committee.

Senate Bill No. 160, by Griffin, Pauline and Buttelman: "An Act to amend Sections 1040, 1041, 1042, 1043, 1044 and 1045 and to repeal Section 1048 of the Revised Codes of Montana, 1921, pertaining to the formation of rural school districts, the selection and qualification of trustees and their powers and duties." Referred to Education.

Senate Bill No. 161, by Pauline, Buttelman and Smith: "An Act regulating public dances, dance halls and other places of amusement; defining the powers of Boards of County Commissioners in relation thereto; governing the attendance of minors thereat, providing for the licensing and supervision thereof, and fixing penalties for the violation of this Act." Referred to Committee on Ways and Means.



Substitute Senate Bill No. 162 by Committee on Finance and Appropriation: "An Act to repeal Section 4758 of the Revised Codes of Montana, 1921, relating to the payment of warrants." Referred to Committee on Finance and Claims.

Senate Bill No. 168, by Dowlin: "An Act providing for the valuation and assessment of property for assessment and taxation in the year 1925, and every two years thereafter." Referred to Committee on Revenue and Taxation.

Senate Bill No. 169, by Survant: "An Act to amend Section 933, Chapter 75, of the Revised Codes of Montana, 1921, relating to the official staff of the Superintendent of Public Instruction." Referred to Committee on Education.

Senate Bill No. 172, by Walker: "An Act to amend Sections 9, 32, 34, 35, 37, 40, 41, 48, 82, 90, 96, 97, 98, 99, 103, 105, 106, 126, 127, 129, and 130 of Chapter 160 of the Laws of the Eighteenth Legislative Assembly of the State of Montana, Session Laws of 1923, relating to the consolidation and merger of the corporate existence and government of the county of Silver Bow and all cities and towns therein into one municipal corporation and government, the said amendments providing for the election of the city and county attorney or director of law, the sheriff or head of the department of police, and the assessor, fixing the salaries of the commissioner and other elective officers, regulating elections to be held in such consolidated municipality and establishing an electoral board, changing the qualifications of the police judge, providing for the appraisement of the property of the cities and towns merged under this Act and fixing the status of their indebtedness at and after such merger." Referred to Affairs of Cities.

Senate Bill No. 173, by Oliver: "An Act to amend Section 6355 of the Revised Codes of Montana, 1921, relating to the organization of building and loan associations, and placing same under the control of the State examiner and ex-officio superintendent of banks." Referred to Committee on Banks and Banking.

Senate Bill No. 174, by Griffin: "An Act imposing certain duties on County Superintendents of Schools in connection with the levying of taxes in joint school districts." Referred to Committee on Education.

Senate Bill No. 175, by Survant: "An Act providing the terms for which State senators and County Commissioners shall hold office, where elected at a special election held for the purpose of voting upon the creation of a new county." Referred to Privileges and Elections.

Senate Bill No. 177, by Duncan: "An Act to amend Section 4771 of the Revised Codes of Montana of 1921, relating to the examination of the books and accounts of the County Treasurer." Referred to Committee on State Boards and Officers.

Senate Bill No. 178, by Buttelman and Watson: "An Act to amend Section 1276 of the Revised Codes of Montana of 1921, as amended by Chapter 69 of the Session Laws of 1923, relating to County High School tax and distribution thereof." Referred to Committee on Education.

Senate Bill No. 180, by Pauline: "An Act to amend Sections 4394, 4395 and 4396 relating to the duties of County Commissioners when findings justify new counties; division in townships, road and school districts; change of boundaries of election precincts; election for the creation of the new county and selection of the county seat; canvass of the votes of such election; appointment, qualification, duties, compensation and terms of the officers of the new county; attaching said new county to a judicial district; and the result of an adverse vote on the creation of such new county." Referred to New Counties and Divisions Committee.

Senate Bill No. 182, by Green: "An Act to assist in the control of and eliminating duplication of service of persons engaged in duties of traveling under any state department and requiring said persons to make



reports to the Board of Examiners and providing for the method of making a record and filing said reports and requiring said Board of Examiners to examine said reports and take action thereon regarding consolidation of positions and duties of persons so employed and the dispensing with the services of persons unnecessarily employed." Referred to Committee on Appropriations.

Senate Bill No. 183, by Stock Growing and Grazing: "An Act fixing bounties upon certain predatory animals, prescribing the manner in which said bounties shall be paid; appointing bounty inspectors, prescribing the form of affidavit for bounty claim; creating a state bounty fund; providing for the disposition of surplus funds; declaring the false making or altering figures or counterfeiting of any certificate of claim or order to be forgery and providing the penalty therefor; authorizing the tax commission of the department of state whose duty it is to fix tax levies annually, to prescribe a levy against live stock; providing for the powers and duties of the Live Stock Commission relative to the provisions of this Act; making other violations of this Act a misdemeanor and providing a penalty therefor. Referred to Committee on Live Stock and Public Ranges.

Senate Bill No. 184, by Linn, Duncan and Speer, by request: A Bill for an Act entitled: "An Act to authorize the district courts of the State under certain conditions, to order sale or other disposition or mortgage or lease of property, real or personal, held in trust by written instrument upon application to the court by the trustee, or any beneficiary; and providing procedure therefor and to permit the trustee to lease the property without order of court under certain terms and conditions. Referred to Judiciary Committee.

The following bills introduced by the Appropriations Committee were read first and second times, second time at length, and referred to Appropriations Committee:

House Bill No. 449, introduced by Committee on Appropriations: "An Act appropriating money for the operation and maintenance of the Industrial Accident Board and for the per diem and expenses of the Board of Coal Mine Examiners." Referred to Appropriations Committee.

House Bill No. 450, introduced by Committee on Appropriations: "An Act appropriating money for the operation and maintenance of the Industrial Accident Board, for the per diem and expenses of the Board of Coal Mine Examiners and for the operation, maintenance and payment of training expenses of the work of vocational rehabilitation." Referred to Committee on Appropriations.

House Bill No. 451, introduced by Appropriations Committee: A Bill for an Act entitled: "An Act appropriating money for the operation and maintenance of the Agricultural Experiment Station and sub-stations and for farmers extension work." Referred to Committee on Appropriations.

House Bill No. 452, introduced by Appropriations Committee: A Bill for an Act entitled: "An Act to appropriate funds for the operation and maintenance of certain of the State's institutions for the period beginning July 1, 1925, and ending June 30, 1927." Referred to Committee on Appropriations.

House Bill No. 453, introduced by Appropriations Committee: A Bill for an Act entitled: "An Act appropriating money for the operation and maintenance of the teaching units of the Greater University of Montana for the period beginning July 1, 1925, and ending June 30, 1927." Referred to Committee on Appropriations.

### THIRD READING OF SENATE BILLS

Senate Bill No. 6, by Duncan, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Ainsworth, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Castles, Clarke, Cusick, Davis, Dellwo, Donaldson, Fairgrieve, Eaton, Fitzgarrald, Flachsenhar, Fletcher, Flynn, Gordon, Graybill, Green, Hanson, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Kennedy, Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Masters, Merritt, Miller, Moulton, Mulholland, Murphy, McAfee, McCarty, Nagle, Nelson, Nelstead, Parkin, Patterson, Plank, Reed, Ruffcorn, Rupert, Sales, Smith (Beaverhead), Steeves, Stoddard, Strange, Tinsley, Walker, Walton, White, Woods, Wuerthner, Mr. Speaker. Total—70.

Noes: None.

Absent and not voting: Akofer, Campbell, Caplis, Doran, Duncan, Fitzgerald, Fox, Hardcastle, Keeley, Kelly, Kinville, Larson (Cascade), Lemmon, Loble, Meagher, Moriarity, Morris, Moss, McGrath, Peat, Peterson, Plumer, Rice, Ryder, Schoening, Shields, Smith (Lewis and Clark), Throssel, Troy, Waite, Wold, Zeh. Total—32.

Senate Bill No. 20, by Stewart, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Ainsworth, Anderson, Andrus, Bergstrom, Berryman, Brandt, Budas, Burns, Castles, Clarke, Davis, Dellwo, Donaldson, Duncan, Fairgrieve, Fitzgarrald, Flachsenhar, Fletcher, Gordon, Green, Hanson, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Kennedy, Kinville, Larsen (Sheridan), Larson (Sheridan), Leavens, Masters, Merritt, Moss, Moulton, Murphy, McAfee, McCarty, Nagle, Nelson, Nelstead, Parkin, Patterson, Peterson, Plank, Reed, Rupert, Sales, Smith (Lewis and Clark), Steeves, Stoddard, Strange, Throssel, Tinsley, Walker, Walton, White, Woods, Mr. Speaker. Total—64.

Noes: None.

Absent and not voting: Akofer, Beadle, Besancon, Campbell, Caplis, Cusick, Doran, Eaton, Fitzgerald, Flynn, Fox, Graybill, Hardcastle, Keeley, Kelly, Larson (Cascade), Lemmon, Lincoln, Loble, Meagher, Miller, Moriarity, Morris, Mulholland, McGrath, Peat, Plumer, Rice, Ruffcorn, Ryder, Schoening, Shields, Smith (Beaverhead), Troy, Waite, Wold, Wuerthner, Zeh. Total—38.

Senate Bill No. 29, by Leuthold, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Ainsworth, Anderson, Andrus, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Fairgrieve, Fitzgarrald, Flachsenhar, Fletcher, Gordon, Graybill, Green, Hanson, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Leavens, Lincoln, Masters, Merritt, Miller, Moss, Moulton, Murphy, McAfee, Nagle, Nelson, Nelstead, Patterson, Peat, Plank, Reed, Ruffcorn, Rupert, Ryder, Sales, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Tinsley, Walker, Walton, White, Woods, Mr. Speaker. Total—69.

Noes: Larson (Sheridan). Total—1.

Absent and not voting: Akofer, Beadle, Campbell, Caplis, Castles, Eaton, Fitzgerald, Flynn, Fox, Hardcastle, Harris, Keeley, Kelly, Lemmon, Loble, Meagher, Moriarity, Morris, Mulholland, McCarty, McGrath, Parkin, Peterson, Plumer, Rice, Schoening, Shields, Troy, Waite, Wold, Wuerthner, Zeh. Total—32.

Senate Bill No. 36, by Hazelbaker, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Ainsworth, Anderson, Andrus, Bergstrom, Berryman, Besancon, Brandt, Budas, Castles, Clarke, Cusick, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Gordon, Graybill, Green, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, John-



son (Fergus), Johnson (Valley), Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Masters, Merritt, Morris, Moss, Moulton, Murphy, McAfee, Nagle, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Reed, Rupert, Ryder, Sales, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Throssel, Tinsley, Walker, Walton, White, Wold, Woods, Mr. Speaker. Total—69.

Noes: None.

Absent and not voting: Akofer, Beadle, Burns, Campbell, Caplis, Davis, Fletcher, Flynn, Fox, Hanson, Hardcastle, Harris, Joffray, Keeley, Kelly, Lemmon, Loble, Meagher, Miller, Moriarity, Mulholland, McCarty, McGrath, Plank, Plumer, Rice, Ruffcorn, Shields, Strange, Troy, Waite, Wuerthner, Zeh. Total—33.

Senate Bill No. 45, by McQuitty, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Ainsworth, Anderson, Andrus, Bergstrom, Berryman, Brandt, Budas, Castles, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Flachsenhar, Fletcher, Gordon, Graybill, Green, Hawley, Hedrick, Higham, Hoffman, Holton, Joffray, Johnson (Valley), Keeley, Kelly, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Leavens, Lincoln, Masters, Merritt, Miller, Morris, Moss, Moulton, Murphy, Nagle, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Reed, Ruffcorn, Rupert, Ryder, Sales, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Walker, Walton, White, Woods, Mr. Speaker. Total—69.

Noes: Besancon, Fitzgerald, Larson (Sheridan), McAfee, Tinsley. Total—5.

Absent and not voting: Akofer, Beadle, Burns, Campbell, Caplis, Flynn, Fox, Hanson, Hardcastle, Harris, Holt, Johnson (Fergus), Lemmon, Loble, Meagher, Moriarity, Mulholland, McCarty, McGrath, Plank, Plumer, Rice, Shields, Troy, Waite, Wold, Wuerthner, Zeh. Total—28.

Senate Bill No. 52, by Church, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Ainsworth, Anderson, Bergstrom, Berryman, Besancon, Brandt, Budas, Castles, Clarke, Cusick, Davis, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Flynn, Gordon, Graybill, Green, Hanson, Harris, Hawley, Hedrick, Higham, Hoffman, Holton, Joffray, Keeley, Kelly, Kinville, Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Masters, Merritt, Miller, Morris, Moss, Moulton, Mulholland, Murphy, McAfee, Nagle, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Reed, Rupert, Ryder, Sales, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Tinsley, Troy, Walker, Walton, White, Woods, Mr. Speaker. Total—74.

Noes: None.

Absent and not voting: Akofer, Andrus, Beadle, Burns, Campbell, Caplis, Dellwo, Fox, Hardcastle, Holt, Johnson (Fergus), Johnson (Valley), Kennedy, Larson (Cascade), Lemmon, Loble, Meagher, Moriarity, McCarty, McGrath, Plumer, Rice, Ruffcorn, Shields, Waite, Wold, Wuerthner, Zeh. Total—28.

Senate Bill No. 56, by Smith, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Ainsworth, Anderson, Andrus, Bergstrom, Berryman, Brandt, Budas, Castles, Clarke, Cusick, Davis, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Flynn, Gordon, Graybill, Green, Hanson, Harris, Hawley, Hedrick, Higham, Hoffman, Holton, Joffray, Kelly, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Masters, Merritt, Miller, Morris, Moulton, Murphy, McAfee, Nagle, Nelstead, Parkin, Peat, Peter-



son, Plank, Reed, Rice, Ruffcorn, Rupert, Ryder, Sales, Smith (Lewis and Clark), Steeves, Stoddard, Strange, Throssel, Tinsley, Troy, Walker, Walton, White, Woods, Mr. Speaker. Total—71.

Noes: Besancon, Nelson, Patterson, Schoening. Total—4.

Absent and not voting: Akofer, Beadle, Burns, Campbell, Caplis, Dellwo, Fox, Hardcastle, Holt, Johnson (Fergus), Johnson (Valley), Keeley, Lemmon, Loble, Meagher, Moriarity, Moss, Mulholland, McCarty, McGrath, Plumer, Shields, Smith (Beaverhead), Waite, Wold, Wuerthner, Zeh. Total—27.

Senate Bill No. 84, by Watson, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Ainsworth, Andrus, Bergstrom, Berryman, Besancon, Brandt, Castles, Clarke, Cusick, Davis, Dellwo, Doran, Duncan, Eaton, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Flynn, Gordon, Graybill, Green, Hanson, Harris, Hawley, Hedrick, Holton, Johnson (Fergus), Kelly, Kennedy, Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Masters, Merritt, Morris, Moss, Moulton, Mulholland, Murphy, McAfee, Nagle, Nelstead, Plank, Ruffcorn, Smith (Lewis and Clark), Stoddard, Throssel, Tinsley, Troy, Walker, Walton, Mr. Speaker. Total—54.

Noes: Anderson, Budas, Donaldson, Fairgrieve, Higham, Hoffman, Keeley, Miller, McCarty, Nelson, Parkin, Patterson, Peat, Peterson, Rupert, Ryder, Schoening, Strange, White, Woods. Total—20.

Absent and not voting: Akofer, Beadle, Burns, Campbell, Caplis, Fox, Hardcastle, Holt, Joffray, Johnson (Valley), Kinville, Larson (Cascade), Lemmon, Loble, Meagher, Moriarity, McGrath, Plumer, Reed, Rice, Sales, Shields, Smith (Beaverhead), Steeves, Waite, Wold, Wuerthner, Zeh. Total—28.

### CONSIDERATION OF GENERAL ORDERS

Moved by Ruffcorn, duly seconded and carried, that House now resolve itself into Committee of the Whole for Consideration of General Orders, and that debate be limited to five minutes for proponents or authors of bills and to three minutes for others, with no trading of time.

Mr. Hoffman in the chair.

The Committee arose.

Mr. Speaker in the chair.

The Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration Bills on General Orders, respectfully report as follows:

That Senate Bill No. 37 be referred to Committee on Privileges and Elections.

That Senate Bill No. 39 be amended as follows:

Section 6. By striking out all of Section 6.

And that, as amended, Senate Bill No. 39 be concurred in.

That Senate Bill No. 93 be amended as follows:

Section 1. By inserting in line 3 before the word "in," "Section 9799."

And that, as amended, Senate Bill No. 93 be concurred in.

That Senate Bill No. 99 be concurred in.

That Senate Bill No. 101 be amended as follows:

Section 1. By striking out in line 5 the words "Federal Lank Bank Bonds" and both of the commas before and after said words, and inserting after the comma in line 7 after the word "payable" the following words "or Federal Land Bank Bonds."

And that, as amended, Senate Bill No. 101 be concurred in.

That Substitute Senate Bill No. 54 be amended as follows:

Section 3. By striking out all of Section 3.

Section 4. By striking out all of Section 4.

Sections 5, 6, 7, 8, 9, and 10 by renumbering same 3, 4, 5, 6, 7, and 8 respectively.

Section 3. (As renumbered). By adding at the end of line 2, the words "or as near as may be to."

Section 10 of the printed bill. By striking out same.

And that, as amended, Substitute Senate Bill No. 54 be concurred in.

That Senate Joint Resolution No. 3 be concurred in.

HOFFMAN, Chairman.

On motion of Hoffman, report adopted.

Moved by Kinville, duly seconded and carried, that House recess until 2:30 P. M.

#### AFTERNOON SESSION

House resumed at 2:30 P. M.

Mr. Speaker in the chair.

There being no objections House reverted to Order of Business No. 6:

#### MOTIONS AND RESOLUTIONS

Moved by Moss, duly seconded and carried, that House Joint Resolution No. 9 be taken from Irrigation Committee and referred to Committee on Development and Publicity.

Mr. Clarke asked that the Committee on Affairs of Cities be excused temporarily for a committee meeting.

The Committee on Enrolling reported as follows:

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled:

House Bills No. 145, No. 260, No. 220.

McAFEE, Chairman.

The Speaker gave notice that he was about to sign House Bills No. 145, No. 260, No. 220 and thereupon signed the same.

#### CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

Moved by Larsen of Sheridan, duly seconded and carried, that messages from the Senate be considered read at length and the Journal so show.

The following messages were received from the Senate:

Helena, Montana, February 24, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read first and second time and referred to the Standing Committees:

House Joint Resolution No. 8—Finance and Claims Committee.

House Joint Resolution No. 10—Public Lands.

House Bill No. 396—Fish and Game.

House Bill No. 441—Taxation.

House Bill No. 439—Taxation.

House Bill No. 437—Public Lands.

House Bill No. 313—Taxation.

House Bill No. 244—Education.

House Bill No. 381—Counties and Towns.

House Bill No. 356—Education.

House Bill No. 379—Taxation.  
House Bill No. 392—Elections and Privileges.  
House Bill No. 323—Judiciary.  
House Bill No. 388—Judiciary.  
House Bill No. 406—Taxation.  
House Bill No. 33—Public Lands.  
House Bill No. 330—Roads and Highways.  
House Bill No. 331—Roads and Highways.  
House Bill No. 141—Sanitary Affairs.  
House Bill No. 369—Railroads and Transportation.  
Substitute House Bill No. 409—Banks and Banking.  
House Bill No. 444—Taxation.  
House Bill No. 318—Counties and Towns.  
House Bill No. 320—Agriculture.  
House Bill No. 348—Roads and Highways.  
House Bill No. 372—Railroads and Transportation.  
House Bill No. 420—Counties and Towns.  
House Bill No. 366—Education.  
House Bill No. 426—Roads and Highways.  
House Bill No. 359—Oils and Leases.  
House Bill No. 4—Constitutional Amendments.  
House Bill No. 35—Roads and Highways.  
House Bill No. 37—Constitutional Amendments.  
Substitute House Bill No. 101—Roads and Highways.  
House Bill No. 99—Education.  
Substitute House Bill No. 117—Judiciary.  
House Bill No. 234—Taxation.  
House Bill No. 265—Finance and Claims.  
House Bill No. 357—Taxation.  
House Bill No. 418—Counties and Towns.  
House Bill No. 423—Counties and Towns.  
House Bill No. 278—Banks and Banking.  
House Bill No. 385—Finance and Claims.  
House Bill No. 380—Finance and Claims.  
House Bill No. 374—Railroads and Transportation.  
House Bill No. 364—Finance and Claims.  
House Bill No. 355—Insurance.  
House Bill No. 389—Compensation.  
House Bill No. 335—Taxation.  
House Bill No. 177—Livestock and Grazing.  
House Bill No. 398—Finance and Claims.  
House Bill No. 285—Fish and Game.  
House Bill No. 436—Finance and Claims.  
House Bill No. 40—Taxation.  
Substitute House Bill No. 109—Compensation.  
House Bill No. 219—Judiciary.  
House Bill No. 229—Counties and Towns.  
House Bill No. 230—Agriculture.  
House Bill No. 242—Counties and Towns.  
Substitute House Bill No. 295—Taxation.  
House Bill No. 299—Taxation.  
House Bill No. 309—Judiciary.  
House Bill No. 314—Railroads and Transportation.  
House Bill No. 346—Judiciary.  
House Bill No. 383—Finance and Claims.  
House Bill No. 432—Dairying.  
House Bill No. 431—Dairying.  
House Bill No. 443—Agriculture.  
House Bill No. 190—Roads and Highways.  
House Bill No. 236—Roads and Highways.  
House Bill No. 280—Horticulture.



House Bill No. 282—Horticulture.  
House Bill No. 376—Counties and Towns.  
House Bill No. 384—Finance and Claims.  
House Bill No. 394—Counties and Towns.  
House Bill No. 395—Education.  
House Bill No. 403—Public Lands.  
House Joint Resolution No. 9—Public Lands.  
House Bill No. 435—Fish and Game.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 24, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House bills were this day considered in the Committee of the Whole with the recommendation that they be not concurred in. Report adopted. Bills are herewith returned to the House:

House Bill No. 118, by Holt.

House Bill No. 167, by Flynn, by request.

House Bill No. 262, by Loble.

House Bill No. 231, by Ruffcorn, Johnson, Holt and Loble.

Respectfully,

J. F. CONE, Secretary of Senate.

### INTRODUCTION OF BILLS AND MEMORIALS

The following bill was introduced, read first and second times, second time a length, and referred to the Committee on Appropriations:

House Bill No. 454, introduced by Appropriations Committee: A Bill for an Act entitled: "An Act to authorize the adjutant general of the State of Montana to attend to the shipment of captured war equipment allotted to the State of Montana by the Federal government and making an appropriation to pay the transportation charges thereon."

### CONSIDERATION OF GENERAL ORDERS

Moved by Ruffcorn, duly seconded and carried, that House now resolve itself into Committee of the Whole for Consideration of General Orders under the rules of the previous sitting.

Mr. Fitzgarrald of Ravalli in the chair.

The Committee arose.

Mr. Speaker in the chair.

The Committee of the Whole reported as follows:

Mr. Speaker :We, your Committee of the Whole, having had under consideration Bills on General Orders, respectfully report as follows:

That Senate Joint Resolution No. 6 be amended as follows:

The title. By striking out the word "Six" and inserting in lieu thereof the word "three" and inserting after the word "Senate," "and three members of the House of Representatives."

And that, as amended, Senate Joint Resolution No. 6 be concurred in.

That Senate Bill No. 60 be re-referred to Appropriations Committee.

FITZGARRALD of Ravalli, Chairman.

On motion of Fitzgarrald of Ravalli, report adopted.

There being no objections, House reverted to Order of Business No. 4:

## REPORTS OF STANDING COMMITTEES

The following reports were received from Standing Committees:

Mr. Speaker: We, your Committee on Agriculture, having had under consideration Senate Bill No. 72, by Cowan, Griffin, Porter, Dell, Survant, Schnitzler, Greenup, Clark and Peterson, respectfully report as follows:

That Senate Bill No. 72 be amended as follows:

Section 3. In line 18, by inserting after the word "board" the words, "with the consent and approval of the State Board of Examiners;" and, in line 19, after the word "any," striking out the words, "or all."

Section 4. In lines 6 and 7, strike out the words, "decide whether said school should be continued at Fort Assiniboine, or transferred to the City of Havre, Montana."

And, as amended, that Senate Bill No. 72 be concurred in.

HANSON, Chairman.

On motion of Hanson, report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration Senate Bill No. 172, introduced by Walker, respectfully report as follows:

That said Senate Bill No. 172 be concurred in.

CLARKE, Chairman.

On motion of Clarke, report adopted.

## MOTIONS AND RESOLUTIONS

Moved by Hanson, duly seconded and carried, that Senate Bill No. 172 be placed at the head of the list on General Orders.

## CONSIDERATION OF GENERAL ORDERS

Moved by Hanson, duly seconded and carried, that House now resolve itself into Committee of the Whole for Consideration of General Orders under the rules of the previous sitting.

Mr. Fitzgarrald of Ravalli in the chair.

The Committee arose.

Mr. Speaker in the chair.

The Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration Bills on General Orders, respectfully report as follows:

That Senate Bill No. 172 be concurred in.

FITZGARRALD of Ravalli, Chairman.

Moved by Fitzgarrald of Ravalli, duly seconded, that report be adopted.

Question arising on motion to adopt report, roll call having been demanded, same carried by the following vote:

Ayes: Ainsworth, Akofer, Andrus, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Caplis, Castles, Clarke, Cusick, Donaldson, Doran, Duncan, Fairgrieve, Fitzgarrald, Flachsenhar, Fletcher, Flynn, Gordon, Graybill, Hanson, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Johnson (Fergus), Johnson (Valley), Keeley, Kennedy, Larson (Cascade), Leavens, Masters, Merritt, Miller, Morris, Moss, Murphy, McAfee, Nelson, Parkin, Patterson, Peat, Reed, Ruffcorn, Rupert, Sales, Smith (Beaverhead), Steeves, Stoddard, Strange, Troy, Walker, Walton, White, Woods, Wuerthner, Zeh. Total—63.

Noes: Anderson, Beadle, Dellwo, Fitzgerald, Green, Larson (Sheridan), Lincoln, Mulholland, Nagle, Ryder, Schoening, Shields, Smith (Lewis and Clark), Tinsley. Total—14.

Absent and not voting: Campbell, Davis, Eaton, Hardcastle, Joffray, Kelly, Kinville, Larsen (Sheridan), Lemmon, Loble, Moriarity, McGrath, Nelstead, Peterson, Plumer, Rice, Wold. Total—17.

Present and not voting: Fox, Meagher, Moulton, McCarty, Plank, Throssel, Waite. Total—7.

At this point the Speaker excused Caplis, Larson of Cascade, McCarty, Doran and Waite.

There being no objections, House reverted to Order of Business No. 6:

## MOTIONS AND RESOLUTIONS

Moved by Hanson, duly seconded and carried, that Senate Bill No. 172 be considered properly engrossed and placed at the head of the list of Third Reading of Senate bills.

## THIRD READING OF SENATE BILLS

Senate Bill No. 172, by Walker, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Ainsworth, Akofer, Andrus, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Castles, Clarke, Cusick, Donaldson, Doran, Duncan, Fairgrieve, Fitzgarrald, Flachsenhar, Fletcher, Flynn, Gordon, Graybill, Hanson, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Johnson (Valley), Keeley, Kennedy, Leavens, Masters, Merritt, Miller, Morris, Moss, Murphy, McAfee, Nelson, Parkin, Patterson, Peat, Reed, Ruffcorn, Rupert, Sales, Smith (Beaverhead), Steeves, Stoddard, Strange, Walker, Walton, White, Woods, Wuerthner, Zeh, Johnson (Fergus), Mr. Speaker. Total—61.

Noes: Anderson, Beadle, Dellwo, Fitzgerald, Larson (Sheridan), Lincoln, Mulholland, Nagle, Plank, Ryder, Schoening, Shields, Smith (Lewis and Clark), Tinsley. Total—14.

Absent and not voting: Campbell, Caplis, Davis, Eaton, Hardcastle, Joffray, Kelly, Kinville, Larson (Cascade), Larsen (Sheridan), Lemmon, Loble, Moriarity, McCarty, McGrath, Nelstead, Peterson, Plumer, Rice, Waite, Wold. Total—21.

Present and not voting: Fox, Green, Meagher, Moulton, Throssel, Troy. Total—6.

## CONSIDERATION OF GENERAL ORDERS

Moved by Ruffcorn, duly seconded and carried, that House now resolve itself into Committee of the Whole for Consideration of General Orders under the rules of the previous sitting.

Mr. Fitzgarrald of Ravalli in the chair.

The Committee arose.

Speaker Pro Tem in the chair.

The Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration Bills on General Orders, respectfully report as follows:

That Senate Bill No. 95 be concurred in.

That Senate Bill No. 105 be amended as follows:

Section 3. By striking out Section 3.

And that, as amended, Senate Bill No. 105 be concurred in.

That Senate Bill No. 124 be concurred in.

That Senate Bill No. 150 be amended as follows:

Section 1. By inserting before the word "Records" the words "Section 4402."



Section 2. By inserting before the word "All" the words "Section 4403."

And that, as amended, Senate Bill No. 150 be concurred in.

That Senate Bill No. 57 be concurred in.

That Senate Bill No. 88 be concurred in.

That Senate Bill No. 139 be passed for the time being.

That Senate Bill No. 42 be passed for time being.

That Senate Bill No. 82 be concurred in.

That Senate Bill No. 72 be passed for time being.

FITZGARRALD of Ravalli, Chairman.

On motion of Fitzgarrald of Ravalli, report adopted.

Moved by Ruffcorn, duly seconded and carried, that House adjourn until 10:00 A. M., February 25, 1925.

R. C. BRICKER, Speaker.

Attest: H. J. FAUST, Chief Clerk.

## FIFTY-SECOND DAY

House of Representatives,

Helena, Montana, February 25, 1925.

House met pursuant to adjournment at 10:00 A. M.

Mr. Speaker in the chair.

Prayer by the Chaplain.

On roll call all present except: Caplis, Lemmon and Larson (Sheridan), excused on account of sickness; Doran, excused on account of sickness in family; Loble, and White, excused.

The Committee on Journal reported as follows:

Mr. Speaker: We, your Committee on Journal, have this day examined the Journal for the 51st legislative day and found the same correct.

PEARL I. SMITH, Chairman.

On motion of Smith of Beaverhead, report adopted.

The Speaker gave notice that he was about to sign Senate Bills No. 6, 20, 29 and 84, and thereupon signed the same respectively.

## REPORTS OF STANDING COMMITTEES

The following report was received from Standing Committee:

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration Senate Bill No. 37, introduced by Watson, respectfully report as follows: That Senate Bill No. 37, be concurred in, without amendments.

HARRIS, Chairman.

On motion of Harris, report adopted.

## CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

The following message was received from the Governor:

Helena, Montana, February 24, 1925.

The Speaker, House of Representatives,

Helena, Montana.

I have the honor to advise you that I have this day approved the following measures:

H. B. No. 6—Relating to possession, control and sale of narcotics.

H. B. No. 112—Relating to when an appeal may be taken to the Supreme Court.

H. B. No. 119—Relating to Real Estate Commissioner.

H. B. No. 191—Relating to refunding fare to students.

H. B. No. 208—Relating to settlement of the affairs of insolvent warehousemen.

H. B. No. 211—Relating to traveling expenses of assessors and their deputies.

J. E. ERICKSON, Governor.

At the request of Smith of Lewis and Clark, there being no objections, House reverted to Order of Business No. 6:

### MOTIONS AND RESOLUTIONS

Moved by Smith of Lewis and Clark, duly seconded and carried, that Senate Joint Resolution No. 10 be taken from Committee on Fairs and Expositions and referred to Committee on Development and Publicity.

### THIRD READING OF SENATE BILLS

Senate Joint Resolution No. 3, by Scofield, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Ainsworth, Akofer, Andrus, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Castles, Clarke, Cusick, Davis, Dellwo, Donaldson, Duncan, Eaton, Fairgrieve, Flachsenhar, Fletcher, Flynn, Fox, Gordon, Graybill, Green, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Joffray, Johnson (Fergus), Kelly, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Masters, Merritt, Morris, Moss, Moulton, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plumer, Reed, Rice, Ryder, Sales, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Throssel, Tinsley, Troy, Waite, Walton, Woods, Wuerthner, Zeh, Mr. Speaker. Total—71.

Noes: Anderson, Beadle, Fitzgerald, Hardcastle, Keeley, Miller, Mulholland, McCarty. Total—8.

Absent and not voting: Caplis, Doran, Fitzgarrald, Hanson, Holton, Johnson (Valley), Lemmon, Loble, Meagher, Moriarity, Murphy, McAfee, McGrath, Nagle, Plank, Ruffcorn, Rupert, Schoening, Shields, Strange, Walker, White, Wold. Total—23.

Substitute Senate Bill No. 54, by Committee on Stock Growing and Grazing, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Akofer, Anderson, Andrus, Beadle, Bergstrom, Brandt, Burns, Campbell, Castles, Clarke, Davis, Dellwo, Donaldson, Duncan, Fairgrieve, Fitzgerald, Fitzgarrald, Flachsenhar, Fletcher, Flynn, Fox, Gordon, Graybill, Green, Hanson, Hardcastle, Harris, Hawley, Higham, Holt, Joffray, Keeley, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Masters, Miller, Morris, Moulton, Murphy, Nagle, Nelson, Nelstead, Patterson, Peat, Peterson, Reed, Rupert, Sales, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Tinsley, Troy, Waite, Walton, Wuerthner, Zeh, Mr. Speaker. Total—64.

Noes: Ainsworth, Besancon, Cusick, Lincoln, Merritt, Moriarity, McCarty, Plumer. Total—8.

Absent and not voting: Berryman, Budas, Caplis, Doran, Eaton, Hedrick, Hoffman, Holton, Johnson (Fergus), Johnson (Valley), Kelly, Leavens, Lemmon, Loble, Meagher, Moss, Mulholland, McAfee, McGrath, Parkin, Plank, Rice, Ruffcorn, Ryder, Schoening, Shields, Walker, White, Wold, Woods. Total—30.

Senate Bill No. 39, by Page, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Besancon, Brandt, Budas, Burns, Castles, Clarke, Cusick, Davis, Dellwo, Duncan, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Flynn, Fox, Graybill, Green, Hanson, Harris, Hawley,, Higham, Holton, Joffray, Keeley, Kelly, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Leavens, Lincoln, Meagher, Merritt, Miller, Morris, Moulton, Mulholland, Murphy, McCarty, Nagle, Nelson, Nelstead, Parkin, Patterson, Peterson, Plumer, Reed, Ruffcorn, Rupert, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Tinsley, Troy, Waite, Walton, Woods, Wuerthner, Zeh, Mr. Speaker. Total—72.

Noes: Campbell, Peat. Total—2.

Absent and not voting: Berryman, Caplis, Donaldson, Doran, Gordon, Hardcastle, Hedrick, Hoffman, Holt, Johnson (Fergus), Johnson (Valley), Larson (Sheridan), Lemmon, Loble, Masters, Moriarity, Moss, McAfee, McGrath, Plank, Rice, Ryder, Sales, Schoening, Walker, White, Wold, Eaton. Total—28.

Senate Bill No. 93, by Garber, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Ainsworth, Akofer, Andrus, Bergstrom, Brandt, Burns, Campbell, Castles, Clarke, Cusick, Davis, Dellwo, Duncan, Flachsenhar, Flynn, Fox, Graybill, Green, Hawley, Holton, Joffray, Kennedy, Kinville, Meagher, Morris, Murphy, McCarty, Nagle, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plumer, Reed, Ruffcorn, Schoening, Smith (Lewis and Clark), Stoddard, Strange, Throssel, Troy, Walton, Woods, Wuerthner, Zeh. Total—47.

Noes: Anderson, Beadle, Besancon, Budas, Fairgrieve, Fitzgerald, Fletcher, Hanson, Hedrick, Higham, Keeley, Larson (Cascade), Larsen (Sheridan), Leavens, Lincoln, Merritt, Moulton, Mulholland, Rupert, Smith (Beaverhead), Steeves, Tinsley, Mr. Speaker. Total—23.

Absent and not voting: Berryman, Caplis, Donaldson, Doran, Eaton, Fitzgarrald, Gordon, Hardcastle, Harris, Hoffman, Holt, Johnson (Fergus), Johnson (Valley), Kelly, Larson (Sheridan), Lemmon, Loble, Masters, Miller, Moriarity, Moss, McAfee, McGrath, Plank, Rice, Ryder, Sales, Shields, Walker, White, Wold. Total—31.

Present and not voting: Waite. Total—1.

Senate Bill No. 99, by Griffin, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Castles, Clarke, Cusick, Davis, Dellwo, Duncan, Fairgrieve, Fitzgerald, Flachsenhar, Fletcher, Flynn, Fox, Graybill, Green, Harris, Hawley, Hedrick, Holton, Joffray, Johnson (Fergus), Keeley, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Leavens, Lincoln, Masters, Meagher, Merritt, Miller, Morris, Murphy, McAfee, McCarty, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Reed, Ruffcorn, Rupert, Sales, Schoening, Shields, Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Tinsley, Troy, Waite, Walton, Woods, Wuerthner, Zeh, Mr. Speaker. Total—73.

Noes: Bergstrom, Nagle, Rice. Total—3.

Absent and not voting: Caplis, Donaldson, Doran, Eaton, Fitzgarrald, Gordon, Hanson, Hardcastle, Higham, Hoffman, Holt, Johnson (Valley), Kelly, Larson (Sheridan), Lemmon, Loble, Moriarity, Moss, Moulton, Mulholland, McGrath, Ryder, Smith (Lewis and Clark), Walker, White, Wold. Total—26.

Senate Bill No. 101 by Griffin, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Castles, Clarke, Cusick, Davis, Dellwo, Duncan, Fairgrieve, Fitzgerald, Flachsenhar,



Fletcher, Flynn, Fox, Graybill, Green, Hanson, Harris, Hawley, Hedrick, Higham, Joffray, Johnson (Fergus), Keeley, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Leavens, Lincoln, Masters, Meagher, Merritt, Morris, Moulton, Mulholland, Murphy, McAfee, Nagle, Nelson, Nelstead, Parkin, Patterson, Peterson, Plank, Plumer, Reed, Rice, Ruffcorn, Rupert, Smith (Lewis and Clark), Smith (Beaverhead), McCarty, Steeves, Stoddard, Strange, Throssel, Tinsley, Troy, Walton, Woods, Wuerthner, Zeh, Mr. Sepaker. Total—74.

Noes: None.

Absent and not voting: Caplis, Donaldson, Doran, Eaton, Fitzgarrald, Gordon, Hardcastle, Hoffman, Holt, Holton, Johnson (Valley), Kelly, Larson (Sheridan), Lemmon, Loble, Miller, Moriarity, Moss, McGrath, Peat, Ryder, Sales, Schoening, Shields, Waite, Walker, White, Wold. Total—28.

Senate Joint Resolution No. 6, by Committee on Federal Relations, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Clarke, Cusic, Davis, Dellwo, Duncan, Eaton, Fairgrieve, Fitzgerald, Flachsenhar, Fletcher, Flynn, Graybill, Green, Harris, Hawley, Hedrick, Higham, Joffray, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Leavens, Lincoln, Masters, Meagher, Merritt, Miller, Morris, Mulholland, Murphy, McAfee, McCarty, Nagle, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Reed, Rice, Ruffcorn, Rupert, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Tinsley, Troy, Waite, Walker, Walton, Woods, Wuerthner, Zeh, Mr. Speaker. Total—72.

Noes: None.

Absent and not voting: Beadle, Caplis, Castles, Donaldson, Doran, Fitzgarrald, Fox, Gordon, Hanson, Hardcastle, Hoffman, Holt, Holton, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Larson (Sheridan), Lemmon, Loble, Moriarity, Moss, Moulton, McGrath, Nelson, Ryder, Sales, Shields, White, Wold. Total—30.

Senate Bill No. 57, by Committee on Banks and Banking, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Akofer, Andrus, Bergstrom, Berryman, Besancon, Budas, Burns, Castles, Campbell, Clarke, Cusick, Davis, Dellwo, Eaton, Fairgrieve, Fitzgerald, Fitzgarrald, Flachsenhar, Fletcher, Fox, Gordon, Green, Harris, Hedrick, Higham, Hoffman, Johnson (Fergus), Keeley, Kennedy, Kinville, Leavens, Lincoln, Miller, Morris, Moulton, Mulholland, Murphy, Nagle, Patterson, Peat, Plumer, Reed, Ryder, Sales, Schoening, Shields, Strange, Throssel, Troy, Waite, Walker, Woods, Zeh, Mr. Speaker. Total—54.

Noes: Ainsworth, Anderson, Brandt, Duncan Graybill, Hanson, Hawley, Larsen (Sheridan), Masters, Meagher, Merritt, McAfee, McCarty, Nelson, Parkin, Peterson, Plank, Rice, Ruffcorn, Rupert, Steeves, Stoddard, Tinsley, Walton, Wuerthner. Total—25.

Absent and not voting: Beadle, Caplis, Donaldson, Doran, Flynn, Hardcastle, Holt, Holton, Joffray, Johnson (Valley), Kelly, Larson (Cascade), Larson (Sheridan), Lemmon, Loble, Moriarity, Moss, McGrath, Nelstead, Smith (Lewis and Clark), Smith (Beaverhead), White, Wold. Total—23.

Senate Bill No. 82, by Committee on Insurance, having been read three several times, title and history agreed to was concurred in by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Castles, Clarke, Cusick, Davis, Dellwo, Duncan, Eaton, Fairgrieve, Fitzgarrald, Flachsenhar, Fletcher, Fox, Gor-

don, Graybill, Green, Hanson, Harris, Hawley, Hedrick, Higham, Hoffman, Holton, Johnson (Fergus), Keeley, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Leavens, Lincoln, Masters, Meagher, Merritt, Miller, Moulton, Mulholland, Murphy, McCarty, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Reed, Rice, Ruffcorn, Rupert, Ryder, Sales, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Strange, Tinsley, Troy, Walker, Walton, Woods, Wuerthner, Zeh, Mr. Speaker. Total—75.

Noes: None.

Absent and not voting: Beadle, Bergstrom, Caplis, Donaldson, Doran, Fitzgerald, Flynn, Hardcastle, Holt, Joffray, Johnson (Valley), Kelly, Larson (Sheridan), Lemmon, Loble, Moriarity, Morris, Moss, McAfee, McGrath, Nagle, Schoening, Shields, Throssel, Waite, White, Wold. Total—27.

Senate Bill No. 88, by Church, having been read three several times, history and title agreed to, was concurred in by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Berryman, Besancon, Brandt, Budas, Burns, Castles, Clarke, Cusick, Davis, Fairgrieve, Fitzgarrald, Flachsenhar, Fletcher, Flynn, Fox, Gordon, Graybill, Green, Hanson, Harris, Hawley, Hedrick, Higham, Hoffman, Holton, Johnson (Fergus), Keeley, Kennedy, Kinville, Larsen (Sheridan), Leavens, Lincoln, Masters, Meagher, Meritt, Miller, Morris, Moulton, Mulholland, Murphy, Nagle, Nelstead, Parkin, Patterson, Peterson, Plank, Plumer, Reed, Rice, Ruffcorn, Rupert, Ryder, Sales, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Strange, Tinsley, Troy, Waite, Walker, Walton, Woods, Wuerthner, Zeh, Mr. Speaker. Total—74.

Noes: Fitzgerald, Nelson. Total—2.

Absent and not voting: Bergstrom, Campbell, Caplis, Dellwo, Donaldson, Doran, Duncan, Eaton, Hardcastle, Holt, Joffray, Johnson (Valley), Kelly, Larson (Cascade), Larson (Sheridan), Lemmon, Loble, Moriarity, Moss, McAfee, McCarty, McGrath, Peat, Throssel, White, Wold. Total—26.

Senate Bill No. 95, by Committee on Education, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Castles, Clarke, Cusick, Davis, Dellwo, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Flynn, Gordon, Graybill, Green, Hanson, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Johnson (Fergus), Keeley, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Leavens, Lincoln, Masters, Meagher, Merritt, Miller, Morris, Moulton, Mulholland, Nelson, Nelstead, Parkin, Patterson, Plumer, Reed, Ryder, Sales, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Tinsley, Troy, Waite, Steeves, Walton, Woods, Wuerthner, Zeh, Mr. Speaker. Total—71.

Noes: None.

Absent and not voting: Caplis, Donaldson, Doran, Duncan, Fox, Hardcastle, Joffray, Johnson (Valley), Kelly, Larson (Sheridan), Lemmon, Loble, Moriarity, Moss, Murphy, McAfee, McCarty, McGrath, Nagle, Peat, Peterson, Plank, Rice, Ruffcorn, Rupert, Stoddard, Strange, Throssel, Walker, White, Wold. Total—31.

Senate Bill No. 105, by McCone and Oliver, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Castles, Cusick, Davis, Dellwo, Fairgrieve, Fitzgarrald, Flachsenhar, Fletcher, Flynn, Clarke, Fox, Gordon, Graybill, Green, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Keeley, Kinville, Larson (Cascade), Larsen (Sheridan), Leavens, Lincoln, Masters, Meagher, Merritt, Miller, Moulton, Mulholland,



Murphy, Nelson, Nelstead, Parkin, Patterson, Plank, Plumer, Ruffcorn, Rupert, Ryder, Schoening, Smith (Beaverhead), Steeves, Strange, Throssel, Tinsley, Waite, Walker, Walton, White, Woods, Wuerthner, Zeh, Mr. Speaker. Total—68.

Noes: Beadle, Fitzgerald, Johnson (Valley), Kennedy. Total—4.

Absent and not voting: Caplis, Donaldson, Doran, Duncan, Eaton, Hanson, Hardcastle, Joffray, Johnson (Fergus), Kelly, Larson (Sheridan), Lemmon, Loble, Moriarity, Morris, Moss, McAfee, McCarty, McGrath, Nagle, Peat, Peterson, Reed, Rice, Sales, Shields, Smith (Lewis and Clark), Stoddard, Troy, Wold. Total—30.

Senate Bill No. 124, by Adams, Oliver and Gilboe, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Castles, Clarke, Cusick, Davis, Dellwo, Duncan, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Flynn, Fox, Gordon, Graybill, Green, Hanson, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Johnson (Fergus), Johnson (Valley), Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Leavens, Lincoln, Masters, Merritt, Miller, Mulholland, Murphy, Nelson, Nelstead, Parkin, Patterson, Plank, Plumer, Rice, Ruffcorn, Rupert, Ryder, Sales, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Throssel, Tinsley, Troy, Waite, Walker, Walton, White, Woods, Wuerthner, Zeh, Mr. Speaker. Total—74.

Noes: None.

Absent and not voting: Andrus, Caplis, Donaldson, Doran, Eaton, Hardcastle, Joffray, Keeley, Kelly, Larson (Sheridan), Lemmon, Loble, Meagher, Moriarity, Morris, Moss, Moulton, McAfee, McCarty, McGrath, Nagle, Peat, Peterson, Reed, Shields, Stoddard, Strange, Wold. Total—28.

Senate Bill No. 150, by Linn, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Castles, Clarke, Cusick, Davis, Dellwo, Duncan, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Flynn, Fox, Gordon, Graybill, Green, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Johnson (Fergus), Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Leavens, Lincoln, Masters, Merritt, Miller, Morris, Moss, Moulton, Mulholland, Murphy, McCarty, Nelson, Nelstead, Parkin, Patterson, Peterson, Plank, Plumer, Reed, Ruffcorn, Rupert, Ryder, Sales, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Strange, Throssel, Tinsley, Troy, Waite, Walker, Walton, Woods, Zeh, Mr. Speaker. Total—77.

Noes: None.

Absent and not voting: Ainsworth, Caplis, Donaldson, Doran, Eaton, Hanson, Hardcastle, Joffray, Johnson, (Valley), Keeley, Kelly, Larson (Sheridan), Lemmon, Loble, Meagher, Moriarity, McAfee, McGrath, Nagle, Peat, Rice, Shields, Stoddard, White, Wold, Wuerthner. Total—25.

## REPORTS OF STANDING COMMITTEES

The following reports were received from Standing Committees:

Mr. Speaker: We, your Committee on Banks and Banking, having had under consideration Senate Bill No. 173, introduced by Oliver, respectfully report as follows: That Senate Bill No. 173 be concurred in.

JOHNSON, Chairman.

On motion of Johnson of Fergus, report adopted.

Moved by Hanson, duly seconded and carried, that House recess until 3:00 P. M.



## AFTERNOON SESSION

House resumed at 3:00 P. M.

Mr. Speaker in the chair.

The Engrossing Committee reported as follows:

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bill No. 386.

BERRYMAN, Chairman.

At the request of Hedrick, there being no objections, House reverted to Order of Business No. 6:

## MOTIONS AND RESOLUTIONS

The following resolution was presented:

Whereas, It is with sincere regret that we know of the illness of our respected and beloved fellow member from Silver Bow county, the Honorable John Caplis, who has endeared himself to the membership of this House by his honorable and fair dealing, his unfailing courtesy, and his high character; and,

Whereas, His ability, integrity and eloquence is recognized and appreciated;

Therefore, Be It Resolved, That we hereby express our affection and respect to our brother, and sincerely hope that he may shortly be restored to his usual health; and,

Resolved Further, That a copy of this resolution be entered on the Journal of this House, and a copy, signed by the Speaker, be delivered to our absent brother.

On motion of Hedrick, resolution adopted.

There being no objections, House reverted to Order of Business No. 4:

## REPORTS OF STANDING COMMITTEES

The following reports of Standing Committees were received:

Mr. Speaker: We, your Committee on Public Morals, Charities and Reforms, having had under consideration Senate Bill No. 31, introduced by Paul, respectfully report as follows: That Senate Bill No. 31 be concurred in.

HEDRICK, Chairman.

On motion of Hedrick, report adopted.

Mr. Speaker: We, your Committee on Irrigation and Water Rights, having had under consideration Substitute Senate Bill No. 138, respectfully report as follows: That Substitute Senate Bill No. 138 be concurred in.

STRANGE, Chairman.

On motion of Gordon, report adopted.

Mr. Speaker: We, your Committee on Irrigation and Water Rights, having had under consideration Senate Bill No. 51, introduced by Speer, respectfully report as follows: That Senate Bill No. 51 be concurred in.

STRANGE, Chairman.

On motion of Gordon, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 96, introduced by Stewart, respectfully report as follows: That Senate Bill No. 96 be referred to the Committee on Revenue and Taxation.

BURNS, Chairman.

On motion of Flachsenhar, report adopted.

Mr. Speaker: We, your Committee on Live Stock and Public Ranges, having had under consideration Senate Bill No. 183, introduced by Committee on Stock Growing and Grazing, respectfully report as follows: That Senate Bill No. 183 be concurred in.

LEAVENS, Chairman.

On motion of Leavens, report adopted.

Mr. Speaker: We, your Committee on Insurance, having had under consideration Senate Bill No. 155, introduced by Cooper, respectfully report as follows: That Senate Bill No. 155 be concurred in.

PEAT, Vice-Chairman.

On motion of Peat, report adopted.

Mr. Speaker: We, your Committee on State Boards and Officers, having had under consideration Senate Bill No. 111, introduced by Walker, respectfully report as follows: That Senate Bill No. 111 be concurred in.

SCHOENING, Chairman.

On motion of Schoening, report adopted.

Mr. Speaker: We, your Committee on State Boards and Officers, having had under consideration Senate Bill No. 177, introduced by Duncan, respectfully report as follows: That Senate Bill No. 177 be concurred in.

SCHOENING, Chairman.

On motion of Schoening, report adopted.

### THIRD READING OF HOUSE BILLS

House Bill No. 386, by Committee on Dairies and Dairying, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Berryman, Besancon, Brandt, Budas, Campbell, Castles, Clarke, Cusick, Davis, Dellwo, Donaldson, Duncan, Eaton, Fitzgerald, Fitzgarrald, Flachsenhar, Fletcher, Flynn, Fox, Gordon, Graybill, Green, Hanson, Harris, Hawley, Hedrick, Higham, Hoffman, Holton, Johnson (Fergus), Johnson (Valley), Keeley, Kennedy, Larson (Cascade), Larsen (Sheridan), Leavens, Lincoln, Masters, Meagher, Miller, Morris, Moulton, Mulholland, Murphy, McAfee, Nagle, Nelson, Nelstead, Patterson, Peat, Peterson, Plank, Plumer, Reed, Rice, Ruffcorn, Rupert, Ryder, Sales, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Tinsley, Troy, Waite, Walker, Walton, Woods, Wuerthner, Zeh, Mr. Speaker. Total—81.

Noes: None.

Absent and not voting: Bergstrom, Burns, Caplis, Doran, Fairgrieve, Hardcastle, Holt, Joffray, Kelly, Kinville, Larson (Sheridan), Lemmon, Loble, Merritt, Moriarity, Moss, McCarty, McGrath, Parkin, White, Wold. Total—21.

Moved by Ruffcorn, duly seconded and carried, that House adjourn until 10:00 A. M. Thursday, February 26, 1925.

R. C. BRICKER, Speaker.

Attest: H. J. FAUST, Chief Clerk.

### FIFTY-THIRD DAY

House of Representatives,  
Helena, Montana, February 26, 1925.

House met pursuant to adjournment at 10:00 A. M.

Mr. Speaker in the chair.

Prayer by the Chaplain.

On roll call all present except: Doran and Keeley, excused; Caplis and Lemmon, excused on account of sickness; and Parkin, excused on account of sickness in the family.

The Journal Committee reported as follows:

Mr. Speaker: We, your Committee on Journal, have this day examined the Journal for the Fifty-second Legislative day and found the same correct.

PEARL I. SMITH, Chairman.

On motion of Smith, report adopted.

The Speaker gave notice to the House that he was about to sign Senate Bill No. 172, and thereupon signed the same.

#### REPORTS OF STANDING COMMITTEES

The following reports were received from Standing Committees:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 116, introduced by Pomeroy, McCormick, McCabe, Watson and Buttelman, respectfully report as follows: That Senate Bill No. 116 be not concurred in.

BURNS, Chairman.

On motion of Burns, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 90, introduced by Pomeroy, respectfully report as follows: That Senate Bill No. 90 be not concurred in.

BURNS, Chairman.

On motion of Burns, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 94, introduced by Stewart, respectfully report as follows: That Senate Bill No. 94 be not concurred in.

BURNS, Chairman.

On motion of Burns, report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration Senate Bill No. 127, introduced by Committee on Education, respectfully report as follows: That Senate Bill No. 127 be concurred in.

DONALDSON, Chairman.

On motion of Donaldson, report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 9, respectively report as follows: That House Bill No. 9 do not pass.

DONALDSON, Chairman.

On motion of Donaldson, report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 347, respectfully report as follows: That House Bill No. 347 do not pass, for the reason that it was introduced too late to receive sufficient consideration.

DONALDSON, Chairman.

On motion of Donaldson, report adopted.

Mr. Speaker: We, your Committee on Agriculture, having had under consideration Senate Bill No. 117, introduced by Mears, Staggs and Gilboe, respectfully report as follows: That Senate Bill No. 117 be not concurred in.

HANSON, Chairman.

On motion of Hanson, report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 178, introduced by Buttelman and Watson, respectfully report as follows:

That Senate Bill No. 178 be concurred in.

EATON, Chairman.

On motion of Eaton, report adopted.



Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 123, introduced by Committee on Education, respectfully report as follows:

That Senate Bill No. 123 be concurred in.

EATON, Chairman.

On motion of Eaton, report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 174, introduced by Griffin, respectfully report as follows:

That Senate Bill No. 174 be concurred in.

EATON, Chairman.

On motion of Eaton, report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 34, introduced by Committee on Education, respectfully report as follows:

That Senate Bill No. 34 be concurred in.

EATON, Chairman.

On motion of Eaton, report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 141, introduced by Pauline, respectfully report as follows:

That Senate Bill No. 141 be concurred in.

EATON, Chairman.

On motion of Eaton, report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 169, introduced by Survant, respectfully report as follows:

That Senate Bill No. 169 be not concurred in.

EATON, Chairman.

On motion of Eaton, report adopted.

#### MOTIONS AND RESOLUTIONS

Moved by Donaldson, duly seconded and carried, that Senate Bill No. 60 be recalled from Appropriations Committee and placed on General Orders.

Moved by Plank, duly seconded and carried, that Senate Bill No. 42 be taken from General Orders and referred to Judiciary Committee.

#### CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

Moved by Larsen of Sheridan, duly seconded and carried, that messages from the Senate be considered read at length and the Journal so show.

The following messages were received from the Senate:

Helena, Montana, February 24, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 228, introduced by Committee on Banks and Banking, was this day read three several times, title agreed to, and concurred in as amended.

Amend by striking out all of Sub-section 2 of Section 1 and inserting in lieu thereof the following: "If any bank which shall hereafter have been ordered by the Superintendent of Banks, to make good its capital impairment fail to do so as provided herein, the Superintendent of Banks must forthwith take charge of such bank and proceed to liquidate it as in case

of insolvency, provided, however, that if 50% of the impairment has been paid in the Superintendent of Banks shall have power and discretion to grant further time."

And, as so amended, bill is herewith transmitted for concurrence in Senate amendments.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 25, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times, concurred in, titles agreed to and are herewith transmitted to the House:

House Bill No. 136, by Ruffcorn, Burns, Hanson, Waite, Gordon, Leavens, Schoening, Campbell, Graybill, Peterson, Donaldson, White, Bergstrom, Davis, Johnson, Wold, Holt.

House Bill No. 151, by Peat, by request.

House Bill No. 281, by Committee on Horticulture.

House Bill No. 294, by Hedrick, Walker, Moulton and Albert Johnson.

House Bill No. 301, by Campbell.

House Joint Resolution No. 7, by Ruffcorn.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 25, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Committee on Taxation, having had under consideration House Bill No. 159, by Duncan, report and recommend that the same be not concurred in. The bill is herewith returned to the House.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 25, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 56, introduced by Holt, was this day read three several times, title agreed to, and concurred in as amended.

Amend Section 1 by adding a new paragraph at the close of said Section 1 to read as follows:

"When a district is relieved of the necessity of supporting any school by the fact that all or a part of the children residing in the district are being provided with schooling in another district, it shall be the duty of the trustees in the district holding no school to assist in the support of the school which the children of their district are attending, in proportion to the relation the number of children from their district attending school in another district bears to the total number of children enrolled in the school in the other district. No district shall be entitled to share in the county apportionment if trustees refuse to comply with the above requirement when they are thus relieved of the necessity of providing any school."

Amend by adding thereto a new section to be numbered Section 2, to read as follows:

"Section 2. Nothing in this Act shall be construed as repealing, abrogating or modifying Section 1044 of the Revised Codes of Montana, 1921."

And renumbering the remaining sections to conform thereto.

Amend Section 1 by inserting in line 23 after the word "provided," "however, that in the letting of the contract for the transportation of more than five pupils on a single transportation route, the trustees of school districts shall advertise for bids for transportation of such pupils in one issue of the official county newspaper at least fifteen days prior to the letting of contract, and in the event that there is no newspaper published

in the county, then three notices calling for bids shall be posted in three separate and conspicuous places in the district and that the contract for such transportation shall be let to the lowest responsible bidder and suitable bond be furnished by contractor."

Amend by striking out in line 23 the word "that" and inserting in lieu thereof the words "then if there are five pupils or less."

And, as so amended, bill is herewith transmitted for concurrence in Senate amendments.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 25, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 61, introduced by Hoffman, was this day read three several times, title agreed to, and concurred in as amended.

Amend the title by adding after the word "Montana" the words "Relating to the payment of delinquent taxes."

Amend Section 2 to read as follows:

"This Act shall be in full force and effect from and after July 1, 1925."

And is herewith transmitted to the House for concurrence in Senate amendments.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 25, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 50, by Parkin, was this day read three several times, title agreed to and concurred in as amended.

Amend by striking out all of Section 1 of the printed bill after the second line of Section 1 and inserting in lieu thereof the following:

Section 1. "Section 916. Expenses: The State Entomologist shall receive no compensation for his services other than what he may receive from the College of Agriculture and Mechanic Arts and Experiment Station, but such office or laboratory expenses as result from the work contemplated under this Act, not to exceed such sums as the legislature from time to time may appropriate, shall be paid, and upon certification of the secretary of the executive board of the College of Agriculture and Mechanic Arts and Director of the Agricultural Experiment Station, the State Auditor is authorized to issue warrants to cover the same. The actual traveling expenses of the State Entomologist and of his assistant, which shall result from the work contemplated under this Act, together with the salary of such assistant, shall be paid by the county or counties wherein such work is contemplated or carried on, and upon presentation and allowance of a sworn claim against such county or counties, warrants in payment thereof shall be drawn upon the General Fund of such county or counties. The Board of County Commissioners shall annually determine the amount of such warrants drawn upon the General Fund for the purposes of this Act, and shall include such amount in the tax levied the succeeding year for the purpose of insect pest extermination and reimburse the General Fund for money so paid out on such warrants as is provided in Section 4504 of the Revised Codes of Montana of 1921, as amended by Chapter 25 of the Laws of the Eighteenth Legislative Assembly of 1923."

And is herewith transmitted to the House for concurrence in Senate amendments.

Respectfully,

J. F. CONE, Secretary of Senate.



Helena, Montana, February 25, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 55, introduced by Hanson, Albert Johnson, Walton and Johnson of Valley, was this day read three several times, title agreed to, and concurred in as amended.

Amend by inserting in line 12, page 1, of the typewritten copy after the word "Montana" the following words "of 1921, as amended by Chapter 32 of the Laws of the Eighteenth Legislative Assembly."

Insert in line 32, page 1, of the typewritten bill after the figures "8366" the words "of the Revised Codes of Montana, 1921."

Insert in line 6, page 2, of the typewritten bill after the word "thereon," the words "except the said thresherman's liens."

And, as so amended, bill is herewith transmitted for concurrence in Senate amendments.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 25, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 29, introduced by Burns, was this day read three several times and concurred in as amended.

Amend by striking out in line 18, page 1, the words "three-fourths" and inserting the words "sixty per cent."

Also in line 22, page 1, strike out the words "three-fourths" and insert "sixty per cent."

Also after the word "Act" in line 25, page 1, add the following: "provided, however, that when any of such land sought to be included in such irrigation district is covered by mortgage or other lien then the owner or owners of such land shall first procure the written consent of the holder of such mortgage or other lien before proposing the establishment and organization of such irrigation district."

Also in line 7, page 3, after the word "report" add the following words "and that said Engineer shall, within a period of one hundred twenty days from the filing of said petition with the State Engineer, render his report to District Court, as herein provided."

And is herewith transmitted to the House for concurrence in Senate amendments.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 25, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 93, introduced by Troy, was this day read three several times, title agreed to, and concurred in as amended.

Amend by striking out the words "on the second Tuesday of July" in line 3 of the printed bill, and inserting in lieu thereof the words "on the ninety-first day," and, as so amended, bill is herewith transmitted for concurrence in Senate amendments.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 25, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 192, by Sales, was this day read three several times, title agreed to, and concurred in as amended.

Amend House Bill No. 192 in Section 1 by striking out lines 3 to 10, both inclusive, and that part of line 11 reading "the southwest corner of Section 27, T. 8 S, R. 5 E," and inserting in lieu thereof the words: "Commencing at the Southeast corner Section 19, T. 9 S., R. 8 E., which section

corner is on line with the North boundary of the Yellowstone National Park, thence North one mile along East line of said section, thence West one mile, thence North one mile, thence West two miles, thence North three miles, thence West two miles, thence North two miles to the section corner common to Sections 16, 17, 20, and 21, T. 8 S., R. 7 E., which corner is on the divide between Cottonwood Creek and Sphinx Creek, thence West along said divide to the Northwest corner of Section 19, T. 8 S., R. 7 E., thence South and West along the divide between Tom Miner Creek, Mol Heron and Specimen Creeks to a point on the Gallatin-Yellowstone divide, which point is North 60 degrees East, 45 chains from the Southwest corner of Section 27, T. 8. S., R. 5 E."

And is herewith transmitted to the House for concurrence in Senate amendments.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 25, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 243, introduced by Committee on Banks and Banking, was this day read three several times, title agreed to, and concurred in as amended.

Amend Section 1, line 8, of the printed bill by inserting after the word "shall" the words "have been a resident of the State of Montana for five years and shall."

Amend Section 1 by striking out lines 26 and 27 of the printed bill.

Amend line 20, page 2, of the original bill by striking out the words "Six Thousand Dollars (\$6,000.00)," and inserting in lieu thereof the words "Five Thousand Dollars (\$5,000.00)."

And, as so amended, bill is herewith transmitted for concurrence in Senate amendments.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 25, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body the following House Bills were this day reported for non-concurrence, reports adopted and bills are herewith returned to the House.

House Bill No. 41, by Nagle.

House Bill No. 47, by Graybill.

House Bill No. 69, by Ainsworth.

House Bill No. 78, by Beadle, Mulholland and Fitzgerald of Silver Bow.

House Bill No. 144, by Ainsworth.

House Bill No. 203, by Caplis and Kinville.

House Bill No. 258, by Cusick.

House Bill No. 272, by Besancon.

Substitute House Bill No. 295, introduced by Committee on Townships and Counties.

House Bill No. 309, by Smith of Lewis and Clark.

House Bill No. 315, by Plank and Besancon.

House Bill No. 316, by Besancon.

House Bill No. 322, by Graybill.

House Bill No. 376, by Rupert.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 25, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Mr. President this day appointed Senators Swift, Demel and Dowlin as a Conference Committee to act with a like committee from the House for the consideration of House Bill No. 23.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 25, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Mr. President this day appointed the following Senators, Stewart, Cooper and Linn as a Conference Committee to act with a like committee from the House for the consideration of Senate Bill No. 18.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 25, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Counties and Towns report that House Bill No. 305, by Moss and Zeh, be amended as follows:

Amend by striking out the words "one-fifth" in line 15, page 2, of the original bill, and inserting in lieu thereof the words "three-fifths," and, as amended, it be concurred in.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 25, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Judiciary recommend that House Bill No. 308 be amended as follows:

Amend by striking out the semi-colon after the word "property" in line 21 of the typewritten bill and inserting in lieu thereof a comma and adding thereafter the words "if the vendee resides without said County, the original or a certified copy thereof shall be filed in the county where the vendee resides."

And that as so amended, said bill be concurred in.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 25, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Standing Committees report as follows:

Committee on Taxation recommend that House Bill No. 295 be not concurred in; that House Bill No. 297 be concurred in; that House Bill No. 184 be concurred in.

Committee on Education recommend that House Joint Memorial No. 4 be concurred in.

Committee on Roads and Highways recommend that House Bill No. 330 be concurred in; that House Bill No. 331 be concurred in.

Committee on New Counties and Divisions recommend that House Bill No. 258 be not concurred in.

Committee on Irrigation and Water Rights recommend that House Bill No. 256 be concurred in.

Committee on Public Lands recommend that House Bill No. 403 be concurred in; that House Joint Resolution No. 10 be concurred in; that Substitute House Bill No. 248 be concurred in.

Committee on Dairies and Dairying recommend that House Bill No. 343 be concurred in; that House Bill No. 344 be concurred in; that House Bill No. 340 be concurred in; that House Bill No. 341 be concurred in;



that House Bill No. 431 be concurred in; that House Bill No. 432 be concurred in.

Committee on Judiciary recommend that House Bill No. 315 be concurred in; that House Bill No. 144 be not concurred in; that House Bill No. 69 be not concurred in; that House Bill No. 41 be not concurred in; that House Bill No. 47 be not concurred in; that House Bill No. 309 be not concurred in; that House Bill No. 316 be not concurred in; that House Bill No. 317 be concurred in; that House Bill No. 78 be not concurred in.

Committee on Finance and Claims recommend that House Bill No. 272 be not concurred in; that House Bill No. 383 be concurred in; that House Bill No. 283 be concurred in; that House Bill No. 291 be concurred in; that House Bill No. 382 was reported without recommendation.

Committee on Counties and Towns recommend that House Bill No. 198 be concurred in; that House Bill No. 327 be concurred in; that House Bill No. 376 be not concurred in; that House Bill No. 322 be not concurred in; that House Bill No. 334 be concurred in; that House Bill No. 203 be not concurred in.

Reports adopted

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 25, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee of the Whole, having had under consideration Business on General File, respectfully report and recommend as follows:

That House Bill No. 91 be concurred in.

That House Bill No. 300 be concurred in.

That House Bill No. 225 be amended, and as so amended, same be concurred in.

That House Bill No. 189 be amended, and as so amended, same be concurred in.

That consideration of House Bill No. 96 be passed for the day.

That House Bill No. 86 be amended, and as so amended, same be concurred in.

That House Bill No. 276 be concurred in.

That House Bill No. 277 be amended, and as so amended, recommend same be concurred in.

That House Bill No. 289 be concurred in.

Report adopted.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 25, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day on roll call concurred in House amendments to Senate Bills No. 36, No. 45, No. 52, No. 56.

Respectfully,

J. F. CONE, Secretary of Senate.

### CONSIDERATION OF GENERAL ORDERS

Moved by Ruffcorn, duly seconded and carried, that House now resolve itself into Committee of the Whole for Consideration of General Orders, and that debate be limited to five minutes to proponents or authors of bills and to three minutes for others, with no trading of time.

Mr. Johnson of Valley in the chair.

The Committee arose.

Mr. Speaker in the chair.

The Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration Bills on General Orders, respectfully report as follows:

That Senate Bill No. 139 be amended as follows:

Section 1. By inserting after the word "interest" in line 9, the following: "Provided that the fines in delinquent payments and interest charged shall not exceed 12% per annum."

Section 1 of the printed Senate Bill No. 139. By striking out beginning on line 27 with the word "provided," the remainder of line 27 and lines 28, 29, 30, 31, and to the words "to cancel" in line 32, and inserting in lieu thereof the following:

"Provided, however, that in all cases where the promissory note or other written evidence of the loan made by any building and loan association calls for the payment of a gross sum of money which includes, in addition to the amount of the loan, the total aggregate interest which said loan will earn at maturity, and which the said note or other evidence of said loan requires the payment of said loan or the said total aggregate sum of principal and interest in periodic installments, said promissory note or other written evidence shall specifically state the actual interest rate upon the amount actually loaned that will be charged the borrower at each periodic payment and at which his said payments will be credited, and such payments hereafter, when so made, shall be distributed by crediting the same first upon the interest at said specified rate then earned upon the unpaid balance of the loan and the remainder upon the principal of the loan; provided, however, that in all notes and mortgages now in force which do not specify the rate of interest, all payments made on said notes, when so made, shall be distributed by crediting the same first upon the interest on the unpaid balance of the loan at the rate actually earned under the terms of the notes and mortgages and the remainder upon the principal of the loan; and no charges or deductions from any of said periodic payments shall be permitted by any such association not specifically provided for in said promissory note or other evidence of said loan.

Section 1. By inserting in line 35 of Section 1 of the printed Senate Bill No. 139, after the word "interest" the following: "which shall not exceed ten per cent per annum."

And that, as amended, Senate Bill No. 139 be concurred in.

That Senate Bill No. 72 be concurred in.

That Senate Bill No. 37 be referred to Committee on Judiciary.

That Senate Bill No. 173 be concurred in.

That Senate Bill No. 31 be referred to Committee on Judiciary.

That Senate Bill No. 51 be passed for time being.

Senate Bill No. 111 that the enacting clause be stricken out.

JOHNSON of Valley, Chairman.

On motion of Johnson of Valley, report adopted.

There being no objections, House reverted to Order of Business No. 4:

#### REPORTS OF STANDING COMMITTEES

The following reports were received from Standing Committees:

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 353, by Strange and Fitzgarrald, respectfully report as follows:

That House Bill No. 353 do pass.

O. M. WOLD, Chairman.

On motion of Smith of Beaverhead, report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 448, by the Appropriations Committee, respectfully report as follows:

That House Bill No. 448 be amended as follows:

That Section 1 be amended as follows, under heading Board of Railroad Commissioners.

The words and figures "Forty-five Thousand Dollars \$45,000.00" be changed to read

Forty-two Thousand Dollars.....\$42,000.00

Add a new and third clause, same to read as follows:

For the payment of salaries and expenses of one Safety

Appliance Inspector,

Three Thousand Dollars .....\$ 3,000.00

Under the heading State Land Office, that the words and figures

Thirty-one Thousand Dollars .....\$31,000.00

be changed to read:

Twenty-four Thousand Dollars .....\$24,000.00

Under the heading State Purchasing Department, the words and figures

Seventeen Thousand Two Hundred Dollars.....\$17,200.00

be changed to read

Fourteen Thousand Two Hundred Dollars .....\$14,200.00

Under the heading Board of Health, the words and figures

Twenty-eight Thousand Dollars .....\$28,000.00

be changed to read

Thirty-two Thousand Dollars .....\$32,000.00

Add a new and third clause same to read as follows:

For the payment of expenses in connection with Child Wel-

fare Work, for children of six years and over, it being

the intent that this is to be applied only as work supple-

mentary to that carried on under the provisions of the

Shepherd-Towner Act,

Two Thousand Dollars .....\$ 2,000.00

Under the heading Board of Entomology, the words and figures

Eleven Thousand Eight Hundred Eighty-five Dollars.....\$11,885.00

be changed to read

Fifteen Thousand Dollars .....\$15,000.00

Under the heading Department of Agriculture, Labor and Industry. The last clause beginning with the word "For" and ending with the figures "\$3,000.00" be stricken out and that two new sub-sections be written in its place as follows:

For the payment of salaries, supplies and General Adminis-

trative expenses in connection with the operation and

maintenance of the Montana State Fair,

Sixty Thousand Dollars .....\$60,000.00

It is declared to be the intent of this Act that in addition to the amounts above appropriated for the use of the Department of Agriculture, Labor and Industry, that there shall be appropriated for the use of said Department of Agriculture, Labor and Industry all fees and earnings of same, except the income and earnings of the State Fair, which shall be deposited without deduction of any kind with the State Treasurer and be credited by him to the General Fund of the State, all as provided in Section 3645 of the Revised Codes of Montana as amended by the Session Laws of the 18th Legislative Assembly.



Under the heading Consulting Engineer, the words and figures

Seven Hundred Fifty Dollars .....\$ 750.00

be changed to read

Nine Hundred Dollars .....\$ 900.00

That Section 2 be amended as follows:

Under the heading Board of Railroad Commissioners, the words and figures

Forty-five Thousand Dollars .....\$45,000.00

be changed to read

Forty-two Thousand Dollars .....\$42,000.00

Add a new and third clause, same to read as follows:

For the payment of salaries and expenses of one Safety

Appliance Inspector,

Three Thousand Dollars .....\$ 3,000.00

Under the heading State Land Office, that the words and figures

Thirty-one Thousand Dollars .....\$31,000.00

be changed to read

Twenty-four Thousand Dollars .....\$24,000.00

Under the heading State Purchasing Department, the words and figures

Seventeen Thousand Two Hundred Dollars.....\$17,200.00

be changed to read

Fourteen Thousand Two Hundred Dollars.....\$14,200.00

Under the heading Board of Health, the words and figures

Twenty-eight Thousand Dollars .....\$28,000.00

be changed to read

Thirty-two Thousand Dollars .....\$32,000.00

Add a new and third clause, same to read as follows:

For the payment of expenses in connection with Child Welfare Work, for children of six years and over, it being the intent that this is to be applied only as work supplementary to that carried on under the provisions of the Shepherd-Towner Act,

Two Thousand Dollars .....\$ 2,000.00

Under the heading Board of Entomology, the words and figures

Eleven Thousand Eight Hundred Eighty-five Dollars.....\$11,885.00

be changed to read

Fifteen Thousand Dollars .....\$15,000.00

Under the heading Department of Agriculture, Labor and Industry, the last clause beginning with the word "For" and ending with the figures "\$3,000.00" be stricken out and that two new sub-sections be written in its place as follows:

For the payment of salaries, supplies and General Administrative expenses in connection with the operation and maintenance of the Montana State Fair,

Sixty Thousand Dollars .....\$60,000.00

It is declared to be the intent of this Act that in addition to the amounts above appropriated for the use of the Department of Agriculture, Labor and Industry, that there shall be appropriated for the use of said Department of Agriculture, Labor and Industry all fees and earnings of same, except the income and earnings of the State Fair, which shall be deposited without deduction of any kind with the State Treasurer and be credited by him to the General Fund of the State, all as provided in Section 3645 of the Revised Codes of Montana as amended by the Session Laws of the 18th Legislative Assembly.

Under the heading Consulting Engineer, the words and figures

Seven Hundred Fifty Dollars .....\$ 750.00

be changed to read

Nine Hundred Dollars .....\$ 900.00

That Section 3 be entirely stricken out and that the following section and in lieu thereof the following be substituted:

Section 3. It shall be the duty of the administrative head of board, bureau, commission, office or department, for the operation and maintenance of which money is appropriated under this Act to formulate an itemized and tabulated budget for the expenditure of the funds appropriated under this Act, and to submit same on or before May 1st, 1925, to the Board of Examiners and when so submitted shall be filed by the Board of Examiners and become the official itemized budget in accordance with which the expenditures must be made except as provided in Section 4 of this Act. The form of itemization to be used in formulating such budget is to be substantially in accord with the various segregations and classifications of the different expenditures as prescribed by the Board of Examiners for the compiling of the State budget as provided by the Budget Act.

And that, as amended, House Bill No. 448 do pass.

O. M. WOLD, Chairman.

On motion of Smith of Beaverhead, report adopted.

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration Senate Bill No. 175, by Survant, respectfully report as follows: That Senate Bill No. 175 be concurred in.

HARRIS, Chairman.

On motion of Harris, report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 424, by Johnson, Beadle and Caplis, respectfully report as follows: That House Bill No. 424 be amended as follows:

That the title be amended by striking out in the fourth line the last two words "and for" and all the balance of the title.

That all of Sections 2, 3, 4, etc., to 23 be stricken out and that there be added a new section to be known as Section 2.

Section 2. This Act shall be in full force and effect from and after its passage and approval.

And that when so amended the same do pass.

O. M. WOLD, Chairman.

On motion of Wold, report adopted.

Mr. Speaker gave notice that he was about to sign Senate Bills Nos. 36, 45, 52, 56, 57, 95, 99, and thereupon signed the same.

Moved by Davis, duly seconded and carried, that House recess until 3:00 P. M.

#### AFTERNOON SESSION

House resumed at 3:00 P. M.

Mr. Speaker in the chair.

At the request of Ruffcorn, there being no objections, House reverted to Order of Business No. 6:

#### MOTIONS AND RESOLUTIONS

Moved by Ruffcorn, duly seconded and carried, that Conference Committee be appointed, and conference committee of Senate be requested to consider Senate amendments to House Bill No. 106.

## CONSIDERATION OF GENERAL ORDERS

Moved by Ruffcorn, duly seconded and carried, that House now resolve itself into Committee of the Whole for consideration of General Orders in respect to Senate amendments to House Bills, under the rules prevailing in previous sitting.

Mr. Nagle in the chair.

The Committee arose.

Mr. Speaker in the chair.

The Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration Bills on General Orders, respectfully report as follows: That

House Bill No. 29, Senate amendments be passed for time being.

House Bill No. 50, Senate amendments be passed for time being.

House Bill No. 55, Senate amendments be not concurred in and that a conference committee be requested.

House Bill No. 56, Senate amendments be concurred in.

House Bill No. 61, Senate amendments be concurred in.

House Bill No. 93, Senate amendments be not concurred in and that a conference committee be requested.

House Bill No. 192, Senate amendments be concurred in.

House Bill No. 228, Senate amendments be not concurred in and that a conference committee be requested.

House Bill No. 243, Senate amendments be not concurred in and that a conference committee be requested.

NAGLE, Chairman.

On motion of Nagle, report adopted.

There being no objections House reverted to Order of Business No. 8:

## THIRD READING OF HOUSE BILLS

Senate Bill No. 72, by Cowan et al., having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Campbell, Castles, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Flynn, Fox, Gordon, Graybill, Harris, Hawley, Hedrick, Higham, Hoffman, Holton, Johnson (Valley), Kelly, Kennedy, Kinville, Larsen (Sheridan), Larson (Sheridan), Lincoln, Loble, Masters, Merritt, Miller, Moriarity, Morris, Moss, Murphy, Moulton, Mulholland, McAfee, McCarty, Nagle, Nelson, Nelstead, Patterson, Peat, Peterson, Plank, Plumer, Ruffcorn, Rupert, Sales, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Throssel, Tinsley, Troy, Waite, Walker, Walton, Wold, Woods, Wuerthner, Zeh, Mr. Speaker. Total—80.

Noes: Green, White. Total—2.

Absent and not voting: Andrus, Burns, Caplis, Hanson, Holt, Joffray, Johnson (Fergus), Keeley, Larson (Cascade), Leavens, Lemmon, Meagher, McGrath, Parkin, Reed, Rice, Ryder, Stoddard, Strange. Total—19.

Present and not voting: Hardecastle. Total—1.

At the request of Ruffcorn, there being no objections, House reverted to Order of Business No. 4:

## REPORTS OF STANDING COMMITTEES

The following reports were received from Standing Committees:

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration Senate Bill No. 98, by McCormick et al., respectfully report as follows: That Senate Bill No. 98 be not concurred in.

DONALDSON, Chairman.

On motion of Donaldson, report adopted.



Mr. Speaker: We, your Committee on Public Safety, having had under consideration Senate Bill No. 100 by Paul, respectfully report as follows: That Senate Bill No. 100 be not concurred in.

HOLT, Chairman.

On motion of Duncan, report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 450, by Appropriations Committee, respectfully report as follows: That House Bill No. 450 do pass.

WOLD, Chairman.

On motion of Wold, report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 449, by Appropriations Committee, respectfully report as follows: That House Bill No. 449 do pass.

WOLD, Chairman.

On motion of Wold, report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration Senate Joint Resolution No. 8, by Griffin, respectfully report as follows: That Senate Joint Resolution No. 8 be concurred in.

WOLD, Chairman.

On motion of Wold, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 156, introduced by Stewart, respectfully report as follows: That Senate Bill No. 156 be not concurred in.

BURNS, Chairman.

On motion of Burns, report adopted.

Mr. Speaker. We, your Committee on Judiciary, having had under consideration Senate Bill No. 91, introduced by Linn, respectfully report as follows: That Senate Bill No. 91, be amended as follows:

Section 1. By striking out the word "conveniently" on page 1, lines 22 and 23.

And as amended that said bill be concurred in.

BURNS, Chairman.

On motion of Burns, report adopted.

Moved by Fairgrieve, duly seconded and carried, that House adjourn until 10:30 A. M., February 27, 1925.

R. C. BRICKER, Speaker.

Attest: H. J. FAUST, Chief Clerk.

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## FIFTY-FOURTH DAY

House of Representatives,

Helena, Montana, February 27, 1925.

House met pursuant to adjournment at 10:30 A. M.

Mr. Speaker in the chair.

Prayer by the Chaplain.

On roll call all present except: Parkin, Lemmon, Caplis, excused on account of sickness; and McGrath, absent.

The Committee on Journal reported as follows:

Mr. Speaker: We, your Committee on Journal, have this day examined the Journal for the 53rd day and found the same correct.

PEARL I. SMITH, Chairman.

On motion of Smith, report adopted.

The Speaker announced the members on Conference Committees to consider bills as follows:

On House Bill No. 93: Ruffcorn of Valley, Patterson of Hill, Bergstrom of Fallon.

On House Bill No. 106: White, of Richland, McAfee of Flathead, Meagher of Teton.

On House Bill No. 55: Hanson of Daniels, Davis of Wibaux, Tinsley of Madison.

On House Bill No. 228: Flachsenhar of Prairie, Leavens of Yellowstone, Nagle of Lewis and Clark.

On House Bill No. 243: Fitzgarrauld of Ravalli, Higham of Carbon, Peterson of Glacier.

#### REPORTS OF SELECT COMMITTEES

The following report was received from Conference Committee on House amendments to Senate Bill No. 18:

Helena, Montana, February 27, 1925.

Mr. President and Mr. Speaker: We, your Joint Conference Committee, appointed to consider House amendment to Senate Bill No. 18, introduced by C. W. Demel, being: A Bill for an Act entitled: "An Act to amend Section 6969 of the Revised Codes of Montana of 1921, relating to Homesteads," having had the same under consideration, beg leave to report and recommend as follows:

That the Senate concur in the House amendment to said bill in striking out the word "or" in line 10 of Section 1 of the typewritten bill and inserting in lieu thereof the word "and."

STEWART,  
LINN,  
COOPER,  
HOLT,  
BURNS,  
LOBLE.

On motion of Loble, report adopted.

#### REPORTS OF STANDING COMMITTEES

The following reports were received from Standing Committees:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 184, introduced by Linn, Duncan and Speer, by request, respectfully report as follows That Senate Bill No. 184 be amended as follows:

Title: By striking out the following, "And to permit the trustee to lease the property without order of court under certain terms and conditions."

Section 3. By inserting after the word "property" in line 7 of the printed bill, the following words: "for the purpose of developing the mineral resources of the same."

Section 6. By striking out the words "conservator committee" in Section 6, line 3, of the printed bill.

And that as amended the bill be concurred in.

BURNS, Chairman.

On motion of Burns, report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 452, by the Appropriations Committee, respectfully report as follows: That House Bill No. 452 be amended as follows:

Section 1. That under the heading Montana Soldiers' Home, the words and figures

Forty Thousand Dollars .....\$40,000.00  
be changed to

Forty-two Thousand Dollars .....\$42,000.00

Section 2. That under the heading Montana Soldiers' Home the words and figures

Forty Thousand Dollars .....\$40,000.00  
be changed to

Forty-two Thousand Dollars .....\$42,000.00

That a new Section be added to be known as Section 4:

"Section 4. It shall be the duty of the administrative head of each board, bureau, commission, office or department, for the operation and maintenance of which money is appropriated under this Act to formulate an itemized and tabulated budget for the expenditure of the funds appropriated under this Act, and to submit same on or before May 1, 1925, to the Board of Examiners and when so submitted shall be filed by the Board of Examiners and become the official itemized budget in accordance with which the expenditures must be made except as provided in Section 5 of this Act. The form of itemization to be used in formulating such budget is to be substantially in accord with the various segregations and classifications of the different expenditures as prescribed by the Board of Examiners for the compiling of the State Budget as provided by the Budget Act."

That a new section be added to be known as Section 5:

"Section 5. The Board of Examiners of the State of Montana are hereby authorized and empowered, except as hereinafter stated, to transfer amounts or parts of amounts, herein appropriated for a specific and defined purpose under one item, to supplement the amounts herein specifically appropriated for another purpose, or other purposes, under another item or other items, except that such transfer of amounts so made by the said Board of Examiners shall, in no event, either decrease or increase the total aggregate amount herein appropriated for the payment of expenditures of all kinds for any office or department as a whole, and neither shall any such transfers of any nature or kind whatsoever be made by said Board of Examiners, except upon the written request by the administrative head of such office or department to the said Board of Examiners."

That Section 4 be renumbered as Section 6 and the words "July 1, 1925" be changed to read "its passage and approval."

And when so amended, House Bill No. 452 do pass.

WOLD, Chairman.

On motion of Wold, report adopted.

The Speaker gave notice to the House that he was about to sign Senate Bills Nos. 124 and 88, Senate Joint Resolution No. 3, Senate Bill No. 82, and thereupon signed the same respectively.

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 160, introduced by Griffin, Pauline and Buttleman, respectfully report as follows: That Senate Bill No. 160 be amended as follows:

Line 7, Section 2, by striking out "1925" and inserting in lieu thereof the words "next following the acceptance of this Act."

Section 7, line 12, by striking out the figure "1" and inserting in lieu thereof the figure "3."

And as so amended be concurred in.

EATON, Chairman.

On motion of Eaton, report adopted.



## INTRODUCTION OF BILLS AND MEMORIALS

The following bill was introduced, read first and second times, second time at length, and referred to Appropriations Committee:

House Bill No. 455, introduced by Appropriations Committee: A Bill for an Act entitled: "An Act appropriating money for the operation and maintenance of the Livestock Sanitary Board and Livestock Commission for the years beginning July 1, 1925, and ending June 30, 1927."

## MOTIONS AND RESOLUTIONS

Moved by Davis, duly seconded and carried, that third reading of Senate Bills be passed for the day.

The following resolution was presented by the Committee on Education:

Whereas, The hearing before your Committee on Education on House Bill No. 446, pertaining to the repeal of the Teacher's Retirement Fund and providing for disposal of such fund has brought to the attention of the Legislative Assembly the serious situation surrounding this fund and;

Whereas, It appeared to the Committee that this Teacher's Retirement Fund has reached that point where it must, from this time forward, dwindle until it will soon be no longer available to protect those who have in good faith come under its provisions; and

Whereas, The present Retirement Law is based on unsound principles, does not conform to actuarial findings and its funds are being rapidly exhausted by those who have retired under its provisions at an extremely early age to go into other, more remunerative occupations and, the entire law seems to be unfair, unsound and unjust to the very teachers it should benefit;

Whereas, It is the sense of the Committee that definite steps should be taken at once to give the teachers of Montana a sound and equitable retirement or insurance fund;

Be It Therefore Resolved, That we, your Committee on Education, recommend to the teachers of the State, that if they desire a retirement, pension or insurance law, steps must be taken by them at once, looking toward a workable plan for such a law and that an understanding should be reached among the teachers upon a bill covering the subject not later than December 1, 1926, in order that it may be introduced and properly considered by the next session of the legislature; and,

Be It Further Resolved, That we recommend to members of the 20th session of the legislature that they enact a law repealing the present law and placing on the statute books a permanent insurance, or pension law which shall be fair, equitable, sound and satisfactory to the teachers of the State.

EATON, Chairman.

On motion of Eaton, report adopted.

The Committee on Enrolling reported as follows:

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bill No. 151, 281, 294, 136, 61, and 301, House Joint Memorial No. 7.

McAFEE, Chairman.

The Speaker gave notice to the House that he was about to sign House Joint Memorial No. 7, House Bills Nos. 151, 281, 294, 136, 61 and 301 and thereupon signed the same respectively.

## CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

Moved by Larsen of Sheridan, duly seconded and carried that messages from Senate be considered read at length and the Journal so show.

The following messages were received from the Senate:

Helena, Montana, February 26, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day reported for non-concurrence, reports adopted and bills are herewith returned to the House.

H. B. No. 33, by Besancon.

H. B. No. 24, by Larsen and Ainsworth.

H. B. No. 323, by Graybill.

H. B. No. 324, by Donaldson.

H. B. No. 355, by Beadle, Mulholland, Fitzgerald.

H. B. No. 394, by Peat, Donaldson and Reed.

H. B. No. 443, by McAfee, Moss, Strange, Cusick, Lincoln and Walton.

H. B. No. 364, by Harris.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 26, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee of the Whole recommended that the following bills be not concurred in. Report adopted. Bills are herewith returned to the House.

H. B. No. 334, by Donaldson.

H. J. R. No. 10, by Fitzgerald, McAfee, Strange.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 26, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Finance and Claims report that House Bill No. 237, by Fairgrieve, be amended as follows:

Amend H. B. No. 237 by striking out the words and figures "one thousand one hundred ninety-seven dollars and ninety seven cents (\$1,197.97)" and inserting in lieu thereof the words and figures "five hundred and fifty dollars (\$550.00)."

By striking out in line 16, Section 1 of the original bill, after the word "Early," "for loss of interest on payments made by him to the State of Montana, through its State Board of Land Commissioners, as purchase price of lands sold him by the State of Montana, and."

By striking out the word "said" in line 20 and inserting in lieu thereof the word "state."

And as amended, it be concurred in.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 26, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Counties and Towns, report that H. B. No. 288 be amended as follows:

Amend H. B. No. 288 in line 13 by striking out the word "must" and inserting the word "may," and as so amended, it be concurred in.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 26, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Finance and Claims recommend that House Bill No. 436 be amended as follows:

That Section 1 of said bill be amended by striking out all of Section 1 after the word "Montana" in line 11 of the original bill and inserting in lieu thereof the following:

That said committee shall consist of the State Auditor of the State of Montana, the State Accountant of the State of Montana, the State Examiner of the State of Montana, all of whom shall be ex-officio members of said commission.

That the said bill be further amended by striking out all of Section 2.

That Section 3 be amended by striking out the words "first appointed" in the first line of Section 3 and strike out all of Section 3 after the word "chairman" in line 4.

That all of Section 6 and 7 be stricken out, and that the Secretary be authorized to renumber the sections accordingly.

And as so amended the bill be concurred in.

Report adopted.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 26, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Standing Committees have made the following reports:

Committee on Taxation report that H. B. No. 379, be concurred in; that H. B. No. 335 be concurred in; that H. B. No. 299 be concurred in; that H. B. No. 234 be concurred in.

Committee on Finance and Claims report that H. B. No. 364 be not concurred in.

Committee on Railroads and Transportation report that H. B. No. 374 be concurred in.

Committee on Judiciary report that House Bill No. 323 be not concurred in; that House Bill No. 388 be concurred in; that House Bill No. 346 be concurred in.

Committee on Public Buildings report that House Bill No. 149 be concurred in.

Committee on Agriculture report that House Bill No. 443 be not concurred in; that House Bill No. 312 be concurred in; that House Bill No. 230 be concurred in; that House Bill No. 209 be concurred in.

Committee on Insurance report that House Bill No. 355 be not concurred in.

Committee on Education report that House Bill No. 244 be referred to the Committee on Finance and Claims.

Committee on Banks and Banking report that House Bill No. 24 be not concurred in.

Committee on Public Lands report that House Bill No. 437 be concurred in; that House Bill No. 33 be not concurred in.

Committee on Counties and Towns report that House Bill No. 205 be concurred in; that House Bill No. 394 be not concurred in; that House Bill No. 324 be not concurred in.

Reports adopted.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 26, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Banks and Banking recommend that House Bill No. 95 be amended as follows:

Amend the title of the original bill by striking out the word "their" and inserting in lieu thereof the word "its."



Amend Section 2 of the original bill by striking out in line 12 the word "an" and inserting in lieu thereof the letter "a."

Amend Section 2 by striking out in line 17 of the original bill the word "of" and inserting in lieu thereof the word "or."

Amend Section 3 by striking out in line 25 of the original bill the words "an industrial bank" and inserting in lieu thereof the words "a Morris Plan Company."

Amend Section 6 in line 12 of the original bill by striking out the word "an" and inserting in lieu thereof the letter "a."

And as so amended recommend that House Bill No. 95 be concurred in.  
Report adopted.

Respectfully,  
J. F. CONE, Secretary of Senate.

Helena, Montana, February 26, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee of the Whole, having had under consideration Business on General File, report as follows:

That House Bill No. 96 be concurred in.

That House Bill No. 382 be concurred in.

That House Joint Memorial No. 4 be concurred in.

That House Joint Resolution No. 10 be not concurred in.

That Substitute House Bill No. 184 be concurred in.

That House Bill No. 198 be concurred in.

That consideration of Substitute for House Bill No. 248 be passed for the day.

That House Bill No. 256 be concurred in.

That House Bill No. 283 be concurred in.

That consideration of House Bill No. 291 be passed for the day.

That action on House Bill No. 297 be indefinitely postponed.

That consideration of House Bill No. 305 be passed for the day.

That House Bill No. 308 be concurred in.

That House Bill No. 317 be concurred in.

That House Bill No. 327 be concurred in.

That House Bill No. 334 be amended by striking out the enacting clause.

That House Bill No. 340 be concurred in.

That House Bill No. 341 be concurred in.

That House Bill No. 344 be concurred in.

That House Bill No. 383 be amended, and as amended, it be concurred in.

That House Bill No. 330 be amended, by striking out the enacting clause.

That House Bill No. 331 be amended by striking out the enacting clause.

Respectfully,  
J. F. CONE, Secretary of Senate.

There being no objections, House reverted to Order of Business No. 4:

#### REPORTS OF STANDING COMMITTEES

The following report from a Standing Committee was received:

Mr. Speaker: We, your Committee on Development and Publicity, having had under consideration Senate Joint Resolution No. 9, introduced by Gilboe, respectfully report as follows:

That said Senate Joint Resolution No. 9 be concurred in.

GORDON, Chairman.

On motion of Gordon, report adopted.

### CONSIDERATION OF GENERAL ORDERS

Moved by Ruffcorn, duly seconded and carried, that House now resolve itself into Committee of the Whole for Consideration of General Orders, under the rules of the previous sitting.

Mr. Stoddard in the chair.

The Committee arose.

Mr. Speaker in the chair.

The Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration Bills on General Orders, respectfully report as follows: That Substitute Senate Bill No. 138 be concurred in.

Senate Bill No. 155 be concurred in.

Senate Bill No. 177 that the enacting clause be stricken out.

STODDARD, Chairman.

On motion of Stoddard, report adopted.

Moved by Hanson, duly seconded, that House recess until 1:30 P. M.

Moved by Wold, that motion to recess be amended to read until 3:00 P. M.

Question arising on amendment, same carried.

Question arising on motion of Hanson, as amended, same carried.

### AFTERNOON SESSION

House resumed at 3:00 P. M.

Mr. Speaker in the chair.

There being no objections, House reverted to Order of Business No. 7:

### CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

The following messages were received from the Governor:

Helena, Montana, February 26, 1925.

The Speaker, House of Representatives,

Helena, Montana.

I have the honor to advise you that I have this day approved the following measures:

House Bill No. 82—Relating to animals running at large within herd districts.

House Bill No. 145—Relating to drainage districts.

H. B. No. 168—Appropriating additional compensation for Sam Nestor.

H. B. No. 174—Relating to settlements of the County Treasurer.

H. B. No. 197—Providing for the support of the government of the State of Montana for the years 1925 and 1926.

H. B. No. 204—Relating to annual tax levy of cities and towns.

H. B. No. 220—Relating to commissioners of drainage districts.

H. B. No. 260—Relating to extension of corporate limits of cities of first, second and third classes.

H. B. No. 284—Relating to the running at large of bulls.

H. B. No. 252—Relating to exemption from jury duty and poll tax of members of the National Guard and certain others.

House Resolution No. 2—Relating to Grazing Fees.

J. E. ERICKSON, Governor.

The following messages were received from the Senate:

Helena, Montana, February 27, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President this day appointed the following committee to act with a like committee from the House as a Conference Committee on House Bill No. 93: Griffin, Duncan, Pomeroy.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 27, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President this day appointed the following committee to act with a like committee from the House, as a Conference Committee on House Bill No. 106: Scofield, Church, Peden.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 27, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President this day appointed the following committee to act with a like committee from the House, as a Conference Committee on House Bill No. 55: Greenup, Brownlee, McQuitty.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 27, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President this day appointed the following committee to act with a like committee from the House, as a Conference Committee on House Bill No. 228: Staggs, Schnitzler, Garber.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 27, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President this day appointed the following committee to act with a like committee from the House, as a Conference Committee on House Bill No. 243: Adams, Watson, Mears.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 27, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Finance and Claims report that House Bill No. 380 be amended as follows:

Section 1. By adding at the end of said section the following: "Provided, however, that this Act shall be of no force or effect until the State Board of Examiners shall first have examined the land above described, and investigated the necessity for the purchase thereof, and after such examination and investigation, aforesaid, if they shall deem it advisable to purchase the above described land, they are hereby authorized to buy the above described land on the best terms obtainable for the State of Montana in a sum not exceeding the amount above specified."

And, as amended, it be concurred in.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 27, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Taxation report that House Bill No. 357 be amended as follows:



Section 1. By striking out in line 7 of the printed bill the words "two per centum" and inserting in lieu thereof the words "one and one-half per centum."

Section 2. By striking out in line 13 of the printed bill the words "two per centum" and inserting in lieu thereof the words "one and one-half per centum."

And, as it is amended, it be concurred in. Report adopted.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 27, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Military Affairs report that House Bill No. 169 be amended as follows:

Section 1. By inserting after the word "shall" in line 14, the words "receive a salary not to exceed One Hundred Twenty-five Dollars per month, who shall."

And that, as amended, it be concurred in.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 27, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Judiciary report that House Bill No. 219 be amended as follows:

Section 9. By striking out Section 9 of said bill and by renumbering Sections 10 and 11 so as to read Sections 9 and 10.

And that, as so amended, it be concurred in. Report adopted.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 27, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Sanitary Affairs report that House Bill No. 141 be amended as follows:

Amend line 5, page 2, of the original bill by striking out the word "fifteen" and inserting the word "ten" in lieu thereof.

And, as amended, it be concurred in. Report adopted.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 27, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Irrigation recommend that Sub. House Bill No. 163 be amended as follows:

Amend by adding in line 16, page 1, after the word "ditch" the words "or extension of ditch."

Amend on page 3, line 28, after the word "ditch" add the words "or extension of ditch," and as so amended, recommend same be concurred in.

Report adopted.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 27, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Finance and Claims report that House Bill No. 398 be amended as follows:

Section 2. By adding at the end thereof the following: "Provided that in the event that any settlement is made with the said George A. Rietz, that as a part of the consideration of said settlement, the said George A. Rietz shall execute to the State of Montana a release in full of all demands and claims of the said George A. Rietz against the State of Montana to the date of said release," and that, as amended, it be concurred in. Report adopted.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 27, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Judiciary recommend that House Bill No. 219 be amended as follows:

Section 9. By striking out Section 9 of said bill and by renumbering Sections 10 and 11 so as to read Sections 9 and 10.

Title. By striking out figures 3169, striking comma between figures 3166 and 3167 and placing "and" before figures 3167 in place of comma removed between figures 3166 and 3167.

And that as so amended, said bill be concurred in. Report adopted.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 27, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Irrigation recommend that House Bill No. 253 be amended as follows:

Amend by striking out in line 19, page 1, of bill the words "three-fourths" and inserting in lieu thereof the words "sixty per cent of."

Amend by striking out in lines 20 and 21, page 1, the words "also the three-fourths of the holders of mortgages."

Amend by striking out in line 24, page 1, the words "three-fourths" and inserting in lieu thereof the words "sixty percent."

Amend by inserting after the word "district" on line 4, page 2, the words "provided, however, that when any of such land sought to be included in such irrigation district is covered by mortgages or other lien, then the owner or owners of such land shall first procure the written consent of the holder of such mortgage or other lien before proposing the establishment and organization of such irrigation district."

Amend by striking out in line 14, page 4, the words and figures "sixty (60)" and insert in lieu thereof the words and figures "One Hundred Twenty (120)."

And as so amended recommend that said bill be concurred in.

Report adopted.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 27, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Standing Committees report as follows:

Committee on Insurance report that House Bill No. 368 be not concurred in.

Committee on Oil and Leases report that House Bill No. 254 be not concurred in; that House Bill No. 359 be not concurred in.

Committee on Military Affairs report that House Bill No. 328 be concurred in.

Committee on Banks and Banking report that House Bill No. 409 be not concurred in; that House Bill No. 276 be not concurred in; that House Bill No. 278 be concurred in.

Committee on Finance and Claims report that House Joint Resolution No. 8 be not concurred in.

Committee on Taxation report that House Bill No. 313 be not concurred in; that House Bill No. 406 be concurred in; that House Bill No. 40 be concurred in.

Committee on Judiciary report that House Bill No. 241 be not concurred in; that House Bill No. 240 be not concurred in; that House Bill No. 239 be not concurred in; that House Substitute for No. 117 be not concurred in; that House Bill No. 238 be not concurred in.

Committee on Fish and Game report that House Bill No. 285 be concurred in.

Committee on Roads and Highways report that House Bill No. 190 be concurred in.

Committee on Public Lands report that House Bill No. 361 be concurred in.

Committee on Horticulture report that House Bill No. 282 be not concurred in; that House Bill No. 280 be not concurred in.

Reports adopted.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 27, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Roads and Highways recommend that House Bill No. 35 be amended as follows:

Section 2. By striking out the words "Secretary of State" and inserting in lieu thereof the words "registrar of motor vehicles in line 28 of page 2, lines 2, 8, 17 and 26-27 on page 3.

Section 3. By striking out the words "secretary of State" and inserting in lieu thereof the words "registrar of motor vehicles" in lines 15, 20, 24, 25 and 27 on page 4 and line 1 on page 5.

Section 5. By striking out the words "Secretary of State" and inserting in lieu thereof the words "registrar of motor vehicles" in line 21 on page 5 and lines 10 and 13-14 of page 6.

Section 6. By striking out the words "Secretary of State" and inserting in lieu thereof the words "registrar of motor vehicles" in lines 23 and 27 of page 6.

Section 7. By striking out the words "Secretary of State" and inserting in lieu thereof the words "registrar of motor vehicles" in lines 2-3-4-5 10 and 14 of page 7.

Section 8. By striking out the words "Secretary of State" and inserting in lieu thereof the words "registrar of motor vehicles" in lines 18 and 19 of page 7.

Section 10. By striking out the words "Secretary of State" and inserting in lieu thereof the words "registrar of motor vehicles in line 22 of page 8.

Section 11. By striking out the words "Secretary of State" and inserting in lieu thereof the words "registrar of motor vehicles" in line 32 page 8.

Section 12. By striking out the words "Secretary of State" and inserting in lieu thereof the words "registrar of motor vehicles" in line 5 page 9.



Section 13. By striking out the words "Secretary of State" and inserting in lieu thereof the words "registrar of motor vehicles" in lines 17, 19, 22, 24 and 26 of page 9, and line 2 of page 10.

Section 14. By striking out the words "Secretary of State" and inserting in lieu thereof the words "registrar of motor vehicles" in lines 11, 13, 17 and 30-31 of page 10 and lines 5, 6, 13, 24 and 27 of page 11.

Section 15. By striking out the words "Secretary of State" and inserting in lieu thereof the words "registrar of motor vehicles" in lines 10, 11-12, 25 and 30 of page 13, and lines 1, 8, 10, 14-15, 20, 23 and 29 of page 14.

Section 16. By striking out the words "Secretary of State" and inserting in lieu thereof the words "registrar of motor vehicles" in lines 6 and 10 of page 15.

Section 17. By striking out the words "Secretary of State" and inserting in lieu thereof the words "registrar of motor vehicles" in lines 12-13, 23 and 28 of page 15.

Section 18. By striking out the words "Secretary of State" and inserting in lieu thereof the words "registrar of motor vehicles" in lines 2, 5 and 11-12 of page 16.

Section 19. By striking out the words "Secretary of State" and inserting in lieu thereof the words "registrar of motor vehicles" in line 21-22 of page 16.

And as so amended we recommend that the same be concurred in.

Report adopted.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 27, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee of the Whole, having had under consideration Business on General File, respectfully report and recommend as follows: That

House Bill No. 403 be concurred in.

House Bill No. 431 be concurred in.

House Bill No. 432 be concurred in.

House Bill No. 248 be amended as follows:

Section 1. By adding the following at the end of the Section 1, "Provided that said lessee shall have been notified by registered mail of the date of expiration of said lease and provided further that said lessee shall have the preference right to a renewal of said lease for a period of 30 days after such cancellation and provided further that such lessee shall pay all delinquent rentals within said 30 days, before said lease shall be renewed" and as so amended, recommend same be concurred in.

House Bill No. 305 be amended by striking out the enacting clause.

House Bill No. 95 be concurred in.

House Bill No. 149 be concurred in.

House Bill No. 205 be amended by striking out the enacting clause.

House Bill No. 209 be amended by striking out the enacting clause.

House Bill No. 230 be concurred in.

House Bill No. 234 be concurred in.

House Bill No. 237 be concurred in.

Action on House Bill No. 288 be indefinitely postponed.

House Bill No. 299 be amended after the word "deposits" in line 7 of the printed bill, adding the following: "provided, however, that such personal or real property is the property of the person or persons who extracted said ore or minerals, products or deposits," and as so amended recommend same be concurred in.

Consideration of House Bill No. 312 be passed for the day.

House Bill No. 335 be concurred in.

House Bill No. 346 be concurred in.

House Bill No. 374 be concurred in.

House Bill No. 379 be concurred in.

House Bill No. 388 be concurred in.

House Bill No. 436 be concurred in.

Consideration of House Bill No. 437 be passed for the day.

House Bill No. 291 be amended as follows:

Section 1. By striking out in lines 7 and 8 all of said lines after the word "delivery" in line 7 and inserting in lieu thereof the words "In counties having a County Auditor, the County Auditor shall be responsible for expenditures from the petty cash fund. In counties not having a County Auditor, the County Clerk shall be responsible for expenditures from the petty cash fund." Also by striking out in line 5 the figures "\$500.00" and inserting in lieu thereof the figures "\$1000.00" and as so amended, recommend same be concurred in.

Report adopted.

Respectfully,

J. F. CONE, Secretary of Senate.

There being no objections, House reverted to Order of Business No. 6:

#### MOTIONS AND RESOLUTIONS

Moved by Holt, duly seconded and carried, that Conference Committee to consider Senate Bill No. 18, be discharged.

Moved by Ruffcorn, duly seconded and carried that Chief Clerk be instructed to correct errors in engrossing of House Bills Nos. 374 and 219.

At the request of Donaldson, there being no objections, House reverted to Order of Business No. 4:

#### REPORTS OF STANDING COMMITTEES

The following reports were received from Standing Committees:

Mr. Speaker: We, your Committee on Appropriations, having had under consideration Senate Bill No. 162, by Finance and Claims Committee, respectfully report as follows: That Senate Bill No. 162 be not concurred in.

WOLD, Chairman.

On motion of Donaldson, report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration Senate Bill No. 182, by Green, respectfully report as follows: That Senate Bill No. 182 be concurred in.

WOLD, Chairman.

On motion of Smith of Beaverhead, report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration Senate Bill No. 133, by Smith, respectfully report as follows: That Senate Bill No. 133 be concurred in.

WOLD, Chairman.

On motion of Smith of Beaverhead, report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration H. B. No. 447, by Committee on Appropriations, respectfully report as follows: That House Bill No. 447 be amended as follows:

- Section 1. Under the heading Attorney General, the words and figures  
 Twenty-four Thousand Seven Hundred Dollars.....\$24,700.00  
 be changed to read  
 Twenty-seven Thousand Two Hundred Dollars.....\$27,200.00  
 That a new sub-section be added, same to read as follows,  
 For the payment of salaries and expenses in connection with  
 clearing of title and foreclosing mortgages made on  
 farm lands by State Land Board, and to be used ex-  
 clusively for that purpose,  
 Seven Thousand Dollars .....\$ 7,000.00  
 Under heading State Treasurer, the words and figures  
 Seventeen Thousand Dollars .....\$17,000.00  
 be changed to read  
 Nineteen Thousand Six Hundred Dollars .....\$19,600.00  
 Under the heading State Auditor, after the last item now shown under  
 this heading there be added a new clause to read as follows:  
 For the payment of the distribution of the Firemen's Dis-  
 ability Funds as provided in Section 5127 of Revised  
 Codes of Montana of 1921,  
 Thirty Thousand Dollars .....\$30,000.00  
 Section 2. Under the heading Attorney General, that there be added  
 two new sub-sections after the figures,  
 Twenty-seven Thousand Two Hundred Dollars.....\$27,200.00  
 to read as follows:  
 For the payment of printing and publication of reports and  
 opinions,  
 Twenty-five Hundred Dollars .....\$ 2,500.00  
 For the payment of salaries and expenses in connection with  
 clearing of title and foreclosure of mortgages made on  
 farm lands by State Land Board, and to be used ex-  
 clusively for that purpose,  
 Seven Thousand Dollars .....\$ 7,000.00  
 Under the heading State Treasurer, the words and figures,  
 Seventeen Thousand Dollars .....\$17,000.00  
 be changed to read  
 Nineteen Thousand Six Hundred Dollars .....\$19,600.00  
 Under the heading State Auditor, after the last item now shown under  
 this heading there be added a new clause to read as follows:  
 For the payment of the distribution of the Firemen's Dis-  
 ability Funds as provided in Section 5127 of the Revised  
 Codes of Montana of 1921,  
 Thirty Thousand Dollars .....\$30,000.00  
 That a new section to be known as Section 4 be added, same to read  
 as follows:  
 "Section 4. It shall be the duty of the administrative head of each  
 board, bureau, commission, office or department, for the operation and  
 maintenance of which money is appropriated under this Act to formulate  
 an itemized and tabulated budget for the expenditure of the funds appro-  
 priated under this Act, and to submit same on or before May 1, 1925, to  
 the Board of Examiners and become the official itemized budget in ac-  
 cordance with which the expenditures must be made except as provided in  
 Section 3 of this Act. The form of itemization to be used in formulating  
 such budget is to be substantially in accord with the various segregations  
 and classifications of the different expenditures as prescribed by the Board  
 of Examiners for the compiling of the State budget as provided by the  
 Budget Law."



That Section 4 be renumbered as Section 5, and the words and figures "July 1, 1925" be changed to read "its passage and approval."

And when so amended do pass.

WOLD, Chairman.

On motion of Smith of Beaverhead, report adopted.

The Speaker gave notice to the House that he was about to sign Senate Bills Nos. 39, 105, Substitute Senate Bill No. 54, and Senate Bills Nos. 150, 93, Senate Joint Resolution No. 6, Senate Bill No. 101, and thereupon signed the same.

Mr. Speaker: We, the majority of your Committee on Townships and Counties, having had under consideration Senate Bill No. 47, introduced by Kane: A Bill for an Act entitled: "An Act relating to irrigation districts, authorizing and empowering irrigation districts and the commissioners thereof to purchase lands sold for delinquent taxes, whenever taxes or assessments of such irrigation districts form all or a part of the taxes for which said lands are sold; to purchase and take assignment of certificates of tax sales of said lands bid in by the county for delinquent taxes, being in whole or in part taxes or assessments of such irrigation districts; to take title to the lands so sold for taxes in case they are not redeemed, as provided by law; to purchase such lands from the county, when tax deeds therefor have issued to the county; to lease, operate, sell and dispose of the same as may seem for the best interest of such district; and to commence, maintain and prosecute suits to quiet title as to the lands so purchased; and relating to the period of redemption and the issuance of tax deed of property in such irrigation district, repealing all Acts or parts of Acts in conflict herewith."

Be It Enacted by the Legislative Assembly of the State of Montana:

Respectfully report as follows: That Senate Bill No. 47 be amended.

1. Strike out the last sentence of Section 1, starting with the words "Said irrigation district shall pay" in line 11 of said section and insert in lieu thereof the following:

"For the purpose of paying such taxes, assessments, interest and penalties, the commissioners of such irrigation district shall have the power and authority to create by resolution a fund to be known and designated as the 'Revolving fund for the purchase of Tax Certificates and Titles' and to provide funds for such revolving fund by levy, bond issue or otherwise, and the district may pay such taxes, assessments, interest and penalties by issuing a warrant to the County Treasurer against such fund, provided that there shall be sufficient money in such fund to pay same in full upon demand. When taxes are paid by the district as in this Act provided, the County Treasurer shall not distribute that portion of said tax belonging to the irrigation district to the several funds as designated in the tax levy and assessment, but the total amount due the irrigation district shall be credited by him, to the Revolving Fund above specified. At the time of the sale by the district of the tax sale certificate or of the property obtained through such certificate, such funds as are realized from such sale must be deposited with the County Treasurer and he shall credit the proceeds of such sale, prorata to the several funds of the district in accordance with the original levy and assessment. No expenditures shall be made from the Revolving Fund except for the purposes as herein specified and when, by resolution of the Board of Irrigation District Commissioners, such fund shall be deemed inactive, the balance remaining in said fund shall be transferred to a sinking fund to be applied upon any indebtedness which may have been incurred by the district by reason of the creation of such revolving fund, if any there may be."

2. Strike out in line 7, of Section 2, the words "Except irrigation district taxes and assessments."

3. Strike out the last sentence of Section 2 starting with the words "Such payment shall be made" in line 9 of said section, and insert in lieu thereof the following:

"Such payment shall be made by the commissioners of such district issuing and delivering to the County Treasurer, a warrant drawn against the Revolving Fund of said district, provided there shall be sufficient money in said fund to pay same in full upon demand, and thereupon, such Treasurer shall assign such certificate of tax sale to such irrigation district as in the case of the purchase thereof by any other person, or the commissioners of the county shall convey such lands to said district in case tax deed therefor has been issued to the county."

4. Add the following to Section 6:

"The Board of Commissioners of any irrigation district shall be and they are hereby authorized and empowered to do any and all things necessary to carry out the provisions and intentions of this Act."

5. Add the following section:

"Section 8. This Act shall apply only when or after said irrigation district shall have commenced delivery of water to any lands included in such irrigation district."

6. Renumber Section 8 and Section 9.

That said bill when so amended be concurred in.

DONALDSON,  
DUNCAN,  
GRAYBILL,  
CASTLES,  
FOX,  
REED,  
PEAT.

Mr. Speaker: We, the minority of your Committee on Townships and Counties, having had under consideration Senate Bill No. 47, introduced by Kane: A Bill for an Act entitled: "An Act relating to irrigation districts, authorizing and empowering irrigation districts and the commissioners thereof to purchase lands sold for delinquent taxes, whenever taxes or assessments of such irrigation districts form all or a part of the taxes for which said lands are sold; to purchase and take assignment of certificates of tax sales of said lands bid in by the county for delinquent taxes, being in whole or in part taxes or assessments of such irrigation districts; to take title to the lands so sold for taxes in case they are not redeemed, as provided by law; to purchase such lands from the county, when tax deeds therefor have issued to the county; to lease, operate, sell and dispose of the same as may seem for the best interest of such district; and to commence, maintain and prosecute suits to quiet title as to the lands so purchased; and relating to the period of redemption and the issuance of tax deed or property in such irrigation district, repealing all Acts or parts of Acts in conflict herewith."

Respectfully report as follows: That Senate Bill No. 47 be not concurred in.

MEAGHER,  
RICE.

On motion of Donaldson, report of majority of committee adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 13, introduced by Dowlin, respectfully report as follows: That Senate Bill No. 13 be concurred in.

BURNS, Chairman.

On motion of Burns, report adopted.

Mr. Speaker: We, your Conference Committee, having had under consideration House Bill No. 55, Senate amendments thereto, beg leave to

report that the conference was had with like committee from the Senate and agreement arrived at: That House concur in Senate amendments thereto and committee be discharged.

HANSON,  
DAVIS,  
TINSLEY.

On motion of Hanson, report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration Senate Bill No. 161, introduced by Pauline, Buttelman and Smith, respectfully report as follows: That Senate Bill No. 161 be reported out without recommendation other than it be placed on General Orders.

TROY, Chairman.

On motion of Graybill, report adopted.

Mr. Speaker: We, your Committee on New Counties and Divisions, having had under consideration Senate Bill No. 86, introduced by Mears, respectfully report as follows: That Senate Bill No. 86 be not concurred in.

SCHOENING, Chairman.

On motion of Shoening, report adopted.

Mr. Speaker: We, your Committee on New Counties and Divisions, having had under consideration Senate Bill No. 180, introduced by Pauline, respectfully report as follows: That Senate Bill No. 180 be not concurred in.

SCHOENING, Chairman.

On motion of Schoening, report adopted.

Moved by Fairgrieve, duly seconded and carried, that House adjourn until 10:00 A. M. February 28, 1925.

R. C. BRICKER, Speaker.

Attest: H. J. FAUST, Chief Clerk.

## FIFTY-FIFTH DAY

House of Representatives,  
Helena, Montana, February 28, 1925.

House met pursuant to adjournment at 10:00 A. M.

Mr. Speaker in the chair.

Prayer by the Chaplain.

On roll call all present except: Caplis, Lemmon and McGrath, excused on account of sickness; Ainsworth and Davis excused until Monday.

The Committee on Journal reported as follows:

Mr. Speaker: We, your Committee on Journal, have this day examined the Journal for the 54th Legislative day and found the same correct.

PEARL I. SMITH, Chairman.

On motion of Smith of Beaverhead, report adopted.

## REPORTS OF SELECT COMMITTEES

The following reports were received from Select Committees:

Mr. Speaker: We, your Joint Conference Committee on House Bill No. 106, report and recommend as follows:



That the Senate recede from Senate amendment to Section 4 of said bill.

JOHN L. SCOFIELD, Chairman—Senate,  
A. WHITE, Chairman—House.  
W. A. PEDEN,  
W. R. CHURCH,  
J. H. McAFEE,  
T. A. MEAGHER.

The above report was adopted by the following vote:

Ayes: Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Castles, Clarke, Cusick, Dellwo, Doran, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Flynn, Green, Hanson, Harris, Hawley, Hedrick, Higham, Hoffman, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Robert), Leavens, Lincoln, Loble, Masters, Meagher, Merritt, Miller, Moriarty, Moss, Moulton, Mulholland, Murphy, McCarty, Nagle, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Rice, Ruffcorn, Rupert, Ryder, Sales, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Strange, Tinsley, Troy, Waite, Walker, Walton, White, Zeh, Mr. Speaker. Total—80.

Noes: None.

Absent and not voting: Ainsworth, Caplis, Davis, Donaldson, Duncan, Fox, Gordon, Graybill, Hardcastle, Holt, Lemmon, Morris, McAfee, McGrath, Reed, Shields, Stoddard, Throssel, Wold, Woods, Wuerthner. Total—21.

Present and not voting: Plumer. Total—1.

Helena, Montana, February 27, 1925.

Mr. President and Mr. Speaker: We, your Joint Conference Committee appointed to consider Senate amendment to H. B. No. 23, introduced by Ruffcorn and others, being: A Bill for an Act entitled: "An Act to amend Section 180, Revised Codes of Montana, 1921, relating to interest on State Warrants, as amended by Chapter 159 of Acts of the 18th Legislative Assembly," having had the same under consideration, beg leave to report and recommend as follows:

That the Senate recede from its amendment, Section 1, line 27, of the engrossed bill, by striking out its amendment which changes the interest rate from "four" to "four and one-half" per cent.

Respectfully submitted,

MOSS,  
GORDON,  
BESANCON,  
SWIFT,  
DOWLIN,  
DEMEL.

The above report was adopted by the following vote:

Ayes: Anderson, Andrus, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Castles, Clarke, Cusick, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Flynn, Gordon, Graybill, Green, Hanson, Harris, Hawley, Hedrick, Higham, Holt, Holton, Joffray, Johnson (Valley), Keeley, Kelly, Kenndey, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Loble, Masters, Meagher, Merrit, Miller, Morris, Moss, Mulholland, Murphy, McAfee, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Rice, Ruffcorn, Rupert, Ryder, Sales, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Strange, Throssel, Waite, Walton, White, Wold, Woods, Zeh, Mr. Speaker. Total—79.

Noes: None.

Absent and not voting: Ainsworth, Akofer, Beadle, Caplis, Fox, Hardcastle, Hoffman, Johnson (Fergus), Kinville, Lemmon, Moriarity, Moulton, McCarty, McGrath, Nagle, Reed, Schoening, Stoddard, Tinsley, Troy, Walker, Wuerthner. Total—23.

Mr. President and Mr. Speaker: We, your Joint Conference Committee appointed to consider Senate amendment to House Bill No. 93 introduced by Troy, being a bill for an Act entitled: "An Act to amend Section 632 of the Revised Codes of Montana of 1921, relating to the date of holding primary election," having had same under consideration, beg leave to report and recommend as follows:

That the Senate recede from its amendment as follows:

Amend by striking out the words "on the Second Tuesday of July" in line 3 of the printed bill, and inserting in lieu thereof the words "on the ninety-first day;" and that said bill be amended by inserting in Line 12 of the original bill and Line 3 of the printed bill after the word "the" and before the word "Tuesday" and inserting therein the word "Third;" and as so amended it receive the favorable consideration of both houses."

JAMES GRIFFIN,  
M. M. DUNCAN,  
H. G. POMEROY,  
W. M. RUFFCORN,  
ROBERT A. PATTERSON,  
TED BERGSTROM.

The above report was adopted by the following vote:

Ayes: Anderson, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Castles, Clarke, Cusick, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Flynn, Fox, Graybill, Green, Hanson, Hawley, Hedrick, Higham, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Loble, Masters, Meagher, Merritt, Miller, Mulholland, McAfee, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Rice, Ruffcorn, Rupert, Ryder, Sales, Schoening, Smith (Beaverhead), Steeves, Throssel, Troy, Waite, Walton, White, Woods, Zeh, Mr. Speaker. Total—72.

Noes: Strange. Total—1.

Absent and not voting: Ainsworth, Akofer, Andrus, Campbell, Caplis, Davis, Gordon, Hardcastle, Harris, Hoffman, Holt, Kelly, Lemmon, Moriarty, Morris, Moss, Moulton, Murphy, McCarty, McGrath, Nagle, Reed, Shields, Smith (Lewis and Clark), Stoddard, Tinsley, Walker, Wold, Wuerthner. Total—29.

## REPORTS OF STANDING COMMITTEES

The following reports were received from Standing Committees:

Mr. Speaker: We, the majority of your Committee on Judiciary, having had under consideration, Senate Bill No. 31, introduced by Paul, respectfully report as follows: That Senate Bill No. 31, be concurred in.

BURNS,  
HOLT,  
JOHNSON (Fergus),  
SCHOENING,  
SMITH (Lewis and Clark),  
NELSTEAD,  
LEAVENS.

Mr. Speaker: We, the minority of your committee on Judiciary, having had under consideration Senate Bill No. 31, introduced by Paul, respectfully report as follows: That Senate Bill No. 31 be not concurred in.

FLACHSENHAR,  
FITZGARRALD,  
CAMPBELL,  
BESANCON,  
BEADLE.

Moved by Burns, duly seconded, that report of Majority of Committee be adopted.

Moved by Besancon, as substitute motion, duly seconded, that the report of Minority of Committee be adopted.

Question arising on substitute motion, same failed.

Question arising on original motion, same carried.

The Speaker gave notice to the House that he was about to sign Senate Bill No. 72 and thereupon signed the same.

Mr. Speaker: We, your Committee on Appropriations having had under consideration, House Bill 454, by Appropriations Committee, respectfully report as follows: That House Bill No. 454 do not pass.

O. M. WOLD, Chairman.

Moved by Smith of Beaverhead, duly seconded, that report be adopted.

Moved by Troy, as substitute motion, duly seconded, that House Bill No. 454 be printed and placed on General Orders.

Question arising on substitute motion, same carried.

The Committee on Enrolling reported as follows:

Mr. Speaker: We, your Committee on Enrolling, beg to report the following bills correctly enrolled: 56, 192.

WAITE, Vice-Chairman.

The Speaker gave notice to the House that he was about to sign House Bills Nos. 56 and 192 and thereupon signed the same respectively.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration, Senate Bill No. 168, respectfully report as follows: That Senate Bill No. 168 be concurred in.

RUFFCORN, Chairman.

On motion of Ruffcorn, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration, Senate Bill No. 28, respectfully report as follows: That Senate Bill No. 28 do not concur, at the authors suggestion.

RUFFCORN, Chairman.

On motion of Ruffcorn, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration, Senate Bill No. 96, respectfully report as follows: That Senate Bill No. 96 be amended in Section 5 by striking out in Line 4 the words "\$10.00" and inserting therein the words "\$50.00"; and as so amended the same be recommended and concurred in.

RUFFCORN, Chairman.

On motion of Ruffcorn, report adopted.

The Printing Committee reported as follows:

Mr. Speaker: We, your Committee on Printing, beg leave to report the following bills correctly printed: 353, 449, 448, 424, 450.

FRED W. ZEH, Chairman.

At this point Mr. Speaker announced that Davis and Shields were excused until Monday.

## INTRODUCTION OF BILLS AND MEMORIALS

The following bill was introduced by unanimous consent of House without previous notice, read first and second times, second time at length, and referred to Appropriations Committee.

House Bill No. 456, by Appropriations Committee: "A Bill for an Act entitled: "An Act appropriating money for the maintenance of certain State Departments and for the payment of certain obligations incurred by the State of Montana."



## MOTIONS AND RESOLUTIONS

Moved by Ruffcorn, duly seconded and carried, that House reconsider its action of yesterday on Senate Bill No. 86.

## CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

The following message was received from Senate:

Helena, Montana, February 27, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that, on motion of Senator Henderson, the action of the Senate was reconsidered and H. B. No. 324 was requested to be returned for further consideration.

Respectfully,  
J. F. CONE, Secretary of Senate.

Moved by Ruffcorn, duly seconded and carried, that request of Senate be granted.

Moved by Ruffcorn, duly seconded and carried, that remainder of communications from Senate be considered read at length and the Journal so show.

The following messages were received from the Senate:

Helena, Mont., Feb. 27, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee of the Whole, having had under consideration House Bill No. 305, 205 and 288, report and recommend that same be not concurred in and same are herewith returned to the House.

Respectfully,  
J. F. CONE, Secretary of Senate.

Helena, Mont., Feb. 27, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 297, by Parkin and Gordon, was this day considered in the Committee of the Whole, with the recommendation that it be indefinitely postponed. Report adopted and bill is herewith returned to the House.

Respectfully,  
J. F. CONE, Secretary of Senate.

Helena, Montana, February 27, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following bills were this day reported for non-concurrence by the Standing Committees, and bills are herewith returned to the House:

Sub. House Bill No. 409, by Committee on Banks and Banking.

House Bill No. 373, by Committee on Banks and Banking.

House Bill No. 368, by Committee on Insurance.

House Bill No. 359, by Committee on Oil and Leases.

House Bill No. 313, by Committee on Taxation.

House Bill No. 286, by Committee on Counties and Towns.

House Bill No. 282, by Committee on Horticulture.

House Bill No. 280, by Committee on Horticulture.

House Bill No. 276, by Committee on Banks and Banking.

House Bill No. 254, by Committee on Oils and Leases.

House Bill No. 240, by Committee on Taxation.

House Bill No. 241, by Committee on Judiciary.

House Bill No. 239, by Committee on Judiciary.

House Bill No. 238, by Committee on Judiciary.

Sub. House Bill No. 117, by Committee on Judiciary.

House Joint Resolution No. 8, by Committee on Finance and Claims.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 27, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Education report that House Bill No. 338, by Morris and Donaldson, be amended as follows:

Amend by striking out all of Section 1 after the words "Section One" in line 10 and insert in lieu thereof the following:

Section 1. Whenever any county of the State of Montana shall have acquired title to any real or personal property in any manner now provided by law and such property is suitable or useful for dormitory or gymnasium or school purposes to any public school located within the same city, town or school district where said property is situated, the Board of County Commissioners of said county, may upon request of the Board of Trustees of any such school district, lease said property to such school district for school dormitory or gymnasium purposes for such rental as the said Board of County Commissioners may deem adequate and for such term of years, not exceeding four years, as the Board may see fit."

And, as amended, it be concurred in. Report adopted.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 27, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Education report that House Bill No. 99, by Fairgrieve and Hanson, be amended as follows:

Amend by striking out all of line 26 and that part of line 27, page 1, ending with the words "twenty-five mills," and that, as amended, it be concurred in.

Report adopted.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 27, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Education recommend that House Bill No. 395 be amended as follows:

Amend Section 6, line 2, of the printed bill by inserting after the word "selected" the following: "by the State Board of Education, or at its option" also in line 3 by striking out the words "the said" and inserting in lieu thereof the words "if by such." and inserting after the word "commission" the word "it;" also striking out in lines 3 and 4 the words "Normal School Presidents from" and inserting in lieu thereof the words "Heads of Educational" also in lines 5 and 6 by striking out all thereof after the words "shall be borne" and inserting in lieu thereof "by the city or town where said Normal School is located."

Amend Section 7 by striking out all of line 1 after the words and figures "Section 7" and all of line 2 ending with the word and figures "July 1925" and inserting in lieu thereof the following: "The State Board of Education, at its regular quarterly meeting in July, 1925, shall decide whether the designation of the said Normal School shall be made by the State Board of Education or by the Normal School Commission. If by such commission, the State Board of Education shall at said meeting, select the Normal School Commission. The State Board of Education or."

Amend section 7 by striking out in line 5 the words "thirty days" and inserting in lieu thereof the words "six months," and as so amended the bill be concurred in.

Report adopted.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 27, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee, appointed by the President to act with a like Committee of the House, as a Conference Committee, report that the House agrees to accept the Senate amendments to House Bill No. 55.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 27, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Counties and Towns recommend that House Bill No. 303 be amended as follows.

Amend the title, by changing the word "Repealing" to "Limiting the application of," on line 9 of the original bill; and inserting the word "Repealing" after the word "and" and before the word "All" in the last part of the title.

Amend by inserting after "1923" Section 3, line 28, of the original bill the following: "Shall not apply to cities and towns having a population of less than twenty-two thousand" and striking out the balance of the section, after "1923," in line 28 of the original bill.

Also in Section 1, by inserting before the words "In this State," in the second line, in Section 1, of the original bill, the words "Having a population of less than twenty-two thousand;" also, in Section 2, in line 1 of said section, before the words "In this State," the words "Having a population of less than twenty-two thousand," and as so amended, be recommended for concurrence. Report Adopted.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 27, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 86 was this day read third time and concurred in as amended and is herewith transmitted for concurrence in Senate amendments.

Amend Section 5 by striking out Section 5 and renumbering Sections 6 and 7 as Sections 5 and 6.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 27, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 189 was this day read third time and concurred in as amended and is herewith transmitted for concurrence in Senate amendments.

Amend Section 1 by striking out in line 32 the words "or permanently."

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 27, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Standing Committees report as follows:

Committee on Finance and Claims report that House Bill No. 244 be concurred in; that House Bill No. 265 be not concurred in.

Committee on Counties and Towns report that House Bill No. 418 be not concurred in; that House Bill No. 381 be concurred in; that Committee on Counties and Towns report that House Bill No. 420 be concurred in.

Committee on Education report that House Bill No. 356 be not concurred in.

Committee on Railroads and Transportation report that House Bill No. 372 be concurred in.



Committee on Election and Privileges report that House Bill No. 392 be concurred in; that House Bill No. 194 be concurred in; that House Bill No. 59 be concurred in.

Committee on Education report that House Bill No. 339 be concurred in.

Committee on Roads and Highways report that House Bill No. 101 be not concurred in; that House Bill No. 15 be not concurred in; that House Bill No. 236 be not concurred in.

Committee on Stock Growing and Grazing report that House Bill No. 287 be not concurred in.

Committee on Livestock and Public Ranges report that House Bill No. 177 be not concurred in.

Committee on Compensation report that House Bill No. 389 be not concurred in; that Sub. for House Bill No. 90 be not concurred in; that House Bill No. 109 be concurred in.

Report adopted.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 27, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Standing Committees report the following House bills for non-concurrence, and bills are herewith returned to the House.

House Bill No. 15, by Committee on Roads and Highways.

Sub. House Bill No. 90, by Committee on Compensation.

Sub. House Bill No. 101, by Committee on Roads and Highways.

House Bill No. 177, by Committee on Stockgrowing and Grazing.

House Bill No. 236, by Committee on Roads and Highways.

House Bill No. 265, by Committee on Finance and Claims.

House Bill No. 287, by Committee on Stockgrowing and Grazing.

House Bill No. 356, by Committee on Education.

House Bill No. 418, Counties and Towns.

Reports adopted.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 27, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in and are herewith returned to the House:

House Bill No. 91, by Beadle.

House Joint Memorial No. 4, by Gordon, Akofer, Dellwo, Brandt and Peterson.

Sub. House Bill No. 184, by Committee on Revenue and Taxation.

House Bill No. 198, by Hedrick.

House Bill No. 256, by Committee on Irrigation.

House Bill No. 283, by Lincoln, Cusick, Moss.

House Bill No. 300, by Committee on Horticulture.

House Bill No. 317, by Holt.

House Bill No. 327, by Strange and Fitzgarrald.

House Bill No. 340, by Committee on Dairying.

House Bill No. 341, by Committee on Dairying.

House Bill No. 343, by Committee on Dairies and Dairying.

House Bill No. 344, by Committee on Dairying.

House Bill No. 382, by Appropriations Committee.

House Bill No. 289, by Committee on Livestock and Public Ranges.

Respectfully,

J. F. CONE, Secretary of Senate.

## THIRD READING OF SENATE BILLS

Senate Bill No. 139, by Oliver, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Castles, Clarke, Cusick, Dellwo, Donaldson, Duncan, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Flynn, Fox, Green, Hanson, Harris, Hawley, Hedrick, Higham, Hoffman, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kennedy, Larson (Cascade), Larson, A. T. (Sheridan), Leavens, Lincoln, Loble, Masters, Merritt, Miller, Moriarity, Moss, Mulholland, Murphy, McAfee, McCarty, Nagle, Nelson, Nelstead, Parkin, Patterson, Peat, Plank, Plumer, Rice, Ruffcorn, Rupert, Ryder, Sales, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Stoddard, Strange, Troy, Waite, Walker, Walton, White, Woods, Zeh, Mr. Speaker. Total—77.

Noes: Holton. Total—1.

Absent and not voting: Ainsworth, Akofer, Caplis, Davis, Doran, Gordon, Graybill, Hardcastle, Holt, Kinville, Larsen, Robert (Sheridan), Lemmon, Meagher, Morris, Moulton, McGrath, Peterson, Reed, Shields, Steeves, Throssel, Tinsley, Wold, Wuerthner. Total—24.

Senate Bill No. 173, by Oliver, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Anderson, Andrus, Beadle, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Castles, Clarke, Cusick, Dellwo, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Flynn, Green, Hanson, Harris, Hawley, Hedrick, Higham, Hoffman, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kennedy, Kinville, Larson (Cascade), Larsen, A. T. (Sheridan), Larson, Robert (Sheridan), Leavens, Lincoln, Loble, Masters, Merritt, Miller, Moriarity, Morris, Moss, Mulholland, Murphy, McAfee, McCarty, Nagle, Nelson, Nelstead, Parkin, Patterson, Peat, Plumer, Rice, Ruffcorn, Rupert, Ryder, Sales, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Stoddard, Strange, Troy, Walker, Walton, Woods, Zeh, Mr. Speaker. Total—76.

Noes: None.

Absent and not voting: Ainsworth, Akofer, Bergstrom, Caplis, Davis, Donaldson, Fox, Gordon, Graybill, Hardcastle, Holt, Lemmon, Meagher, Moulton, McGrath, Peterson, Plank, Reed, Shields, Steeves, Throssel, Tinsley, Waite, White, Wold, Wuerthner. Total—26.

Report of Conference Committee on Senate Bill No. 18 was adopted by the following vote:

Ayes: Anderson, Andrus, Beadle, Berryman, Besancon, Burns, Campbell, Clarke, Cusick, Dellwo, Doran, Duncan, Eaton, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Flynn, Green, Harris, Hawley, Hedrick, Holton, Johnson (Fergus), Keeley, Kelly, Kinville, Larson (Cascade), Larsen, A. T. (Sheridan), Larson, Robert (Sheridan), Leavens, Lincoln, Loble, Masters, Moriarity, Moss, Mulholland, Murphy, McAfee, McCarty, Nelson, Nelstead, Parkin, Patterson, Plank, Plumer, Ruffcorn, Ryder, Sales, Smith (Lewis and Clark), Steeves, Stoddard, Strange, Throssel, Troy, Walker, Walton, White, Zeh, Mr. Speaker. Total—60.

Noes: Budas, Fairgrieve, Higham, Hoffman, Joffray, Johnson (Valley), Kennedy, Merritt, Miller, Morris, Nagle, Peat, Rice, Rupert, Schoening, Smith (Beaverhead), Waite, Woods. Total—18.

Absent and not voting: Ainsworth, Akofer, Bergstrom, Brandt, Caplis, Castles, Davis, Donaldson, Fox, Gordon, Graybill, Hanson, Hardcastle, Holt, Lemmon, Meagher, Moulton, McGrath, Peterson, Reed, Shields, Tinsley, Wold, Wuerthner. Total—24.

Substitute to Senate Bill No. 138, by Judiciary Committee, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Castles, Clarke, Cusick, Dellwo, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Green, Hanson, Harris, Hawley, Hedrick, Higham, Hoffman, Holton, Johnson (Fergus), Johnson (Valley), Keeley, Kennedy, Kinville, Larson (Cascade), Larsen, A. T. (Sheridan), Larson, Robert (Sheridan), Leavens, Lincoln, Loble, Masters, Meagher, Merritt, Miller, Moriarity, Morris, Mulholland, McAfee, McCarty, Nagle, Nelson, Nelstead, Parkin, Patterson, Peat, Plank, Plumer, Rice, Ruffcorn, Rupert, Sales, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Strange, Throssel, Tinsley, Troy, Waite, Walker, Walton, White, Wold, Woods, Zeh, Mr. Speaker. Total—79.

Noes: None.

Absent and not voting: Ainsworth, Caplis, Davis, Donaldson, Flynn, Fox, Gordon, Graybill, Hardcastle, Holt, Joffray, Kelly, Lemmon, Moss, Moulton, Murphy, McGrath, Peterson, Reed, Ryder, Shields, Stoddard, Wuerthner. Total—23.

Senate Bill No. 155, by Cooper, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Akofer, Anderson, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Castles, Clarke, Cusick, Dellwo, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Flynn, Green, Hanson, Hardcastle, Harris, Hawley, Hedrick, Higham, Hoffman, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kennedy, Kinville, Larson (Cascade), Larsen, A. T. (Sheridan), Larson, Robert (Sheridan), Leavens, Lincoln, Loble, Masters, Merritt, Miller, Moriarity, Morris, Moss, Mulholland, Murphy, McAfee, McCarty, Nagle, Nelson, Nelstead, Parkin, Patterson, Peat, Plank, Plumer, Rice, Ruffcorn, Rupert, Ryder, Sales, Schoening, Smith (Beaverhead), Steeves, Strange, Tinsley, Troy, Walker, Walton, White, Zeh, Andrus, Mr. Speaker. Total—78.

Noes: Holton, Waite. Total—2.

Absent and not voting: Ainsworth, Caplis, Davis, Donaldson, Fox, Gordon, Graybill, Holt, Joffray, Lemmon, Meagher, Moulton, McGrath, Peterson, Reed, Shields, Smith (Lewis and Clark), Stoddard, Throssel, Wold, Woods, Wuerthner. Total—22.

## CONSIDERATION OF GENERAL ORDERS

Moved by Hanson, duly seconded and carried, that House now resolve itself into Committee of the Whole for Consideration of General Orders in respect to Senate amendments to House bills, under the rules of previous sitting.

Mr. Parkin in the chair.

The Committee arose.

Mr. Speaker in the chair.

The Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration Bills on General Orders, respectfully report as follows: That

House Bill No. 29, Senate amendments be concurred in.

House Bill No. 50, Senate amendments be not concurred in, and a conference committee be requested.

House Bill No. 86, Senate amendments be not concurred in and a conference committee be requested.

House Bill No. 95, Senate amendments be concurred in.

House Bill No. 96, Senate amendments be concurred in.

House Bill No. 189, Senate amendments be concurred in.

House Bill No. 225, Senate amendments be concurred in.



House Bill No. 308, Senate amendments be not concurred in, and a conference committee be requested.

House Bill No. 383, Senate amendments be concurred in.

PARKIN, Chairman.

On motion of Parkin, report adopted.

Moved by Hanson, duly seconded and carried, that House resolve itself into Committee of the Whole for Consideration of General Orders, under the rules of the previous sitting.]

Mr. Parkin in the chair.

The Committee arose.

Mr. Speaker in the chair.

The Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration Bills on General Orders, respectfully report as follows: That

Senate Bill No. 183 be concurred in.

Senate Bill No. 127 be concurred in.

PARKIN, Chairman.

Moved by Parkin, duly seconded, that report be adopted.

Moved by Fitzgerald, duly seconded, that Senate Bill No. 127 be segregated from the report.

Moved by Flachsenhar, as substitute motion, duly seconded, that motion to segregate Senate Bill No. 127 from the report, be laid on the table.

Question arising on substitute motion, roll call having been demanded, same was lost by the following vote:

Ayes: Akofer, Anderson, Beadle, Besancon, Clarke, Dellwo, Fitzgerald, Graybill, Green, Hanson, Harris, Joffray, Kelly, Kinville, Larson, Robert (Sheridan), Lincoln, Loble, Miller, Moriarity, Mulholland, Murphy, Nagle, Peat, Plank, Plumer, Throssel, Tinsley. Total—27.

Noes: Andrus, Bergstrom, Berryman, Brandt, Budas, Burns, Campbell, Castles, Cusick, Donaldson, Duncan, Eaton, Fairgrieve, Fitzgarrald, Flachsenhar, Fletcher, Flynn, Hawley, Hedrick, Higham, Hoffman, Holton, Johnson (Fergus), Johnson (Valley), Keeley, Kennedy, Larson (Cascade), Larsen, A. T. (Sheridan), Leavens, Masters, Meagher, Merritt, Morris, Moss, McAfee, McCarty, Nelson, Nelstead, Parkin, Patterson, Peterson, Reed, Rice, Ruffcorn, Rupert, Ryder, Sales, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Troy, Waite, Walker, Walton, Wold, Woods, Wuerthner, Zeh, White, Mr. Speaker. Total—61.

Absent and Not voting: Ainsworth, Caplis, Davis, Doran, Fox, Gordon, Hardcastle, Holt, Lemmon, Moulton, McGrath, Shields, Schoening, Strange. Total—14.

Question now arising on motion to segregate Senate Bill No. 127, same is lost.

Question arising on original motion that report be adopted, same carried. There being no objections House reverted to Order of Business No. 6:

## MOTIONS AND RESOLUTIONS

Moved by Ruffcorn, duly seconded and carried, that Senate Bill No. 86 be referred to Committee on New Counties and Divisions.

The Speaker named the following Conference Committees:

House Bill No. 50: Parkin of Gallatin, Gordon of Big Horn, Akofer of Pondera.

House Bill No. 86: Ruffcorn of Valley, Hanson of Daniels, Kelly of Silver Bow.

House Bill No. 308: Loble of Lewis and Clark, Keeley of Powell, Nagle of Lewis and Clark.

Moved by Stoddard, duly seconded and carried, that House recess until 2:00 P. M.

## AFTERNOON SESSION

House resumed at 2:00 P. M.

Mr. Speaker in the chair.

Mr. Zeh excused on account of sickness.

## CONSIDERATION OF GENERAL ORDERS

Moved by Ruffcorn, duly seconded and carried, that House resolve itself into Committee of the Whole for Consideration of General Orders, under rules of previous sitting.

Mr. Morris in the chair.

The committee arose.

Mr. Speaker in the chair.

The Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration Bills on General Orders, respectfully report as follows: That

Senate Bill No. 178 be concurred in.

Senate Bill No. 123 be concurred in.

Senate Bill No. 174 be concurred in.

Substitute Senate Bill No. 34 be concurred in.

Senate Bill No. 141 be amended as follows:

Title: By adding at the end "by providing for certain fees," and as amended be concurred in.

Senate Joint Resolution No. 8 be concurred in.

Senate Bill No. 51 be concurred in.

Senate Bill No. 91 be referred to Judiciary Committee.

Senate Bill No. 175 be concurred in.

Senate Bill No. 160 be amended as follows:

Section 1. By striking out in line 7 the word "four" and inserting in lieu thereof the word "five."

Section 2. By striking out in line 13 the word "four" and inserting in lieu thereof the word "five."

Section 2. By striking out in line 14 the word "one-fourth" and inserting in lieu thereof the words "one-fifth."

Section 3. By striking out in line 40, the word "four" and inserting in lieu thereof the word "five."

Section 3. By striking out in line 41 the word "four" and inserting in lieu thereof the word "five."

Section 3. By striking out in line 42 the word "one" and inserting in lieu thereof the word "two."

Section 3. By striking out in line 45 the words "The County Superintendent of Schools."

Section 3. Line 50, by inserting after the word "board" the words "but he shall not be entitled to vote."

Section 3. By striking out in line 50, beginning with "in any county" through that and succeeding lines to the word "on" in line 57.

Section 3. By striking out in line 58, the words "the County Superintendent of Schools."

Section 4. By striking out in line 35 the word "four" and insert in lieu thereof the word "five."

And as amended be concurred in.

Senate Bill No. 184 be concurred in.

Senate Joint Resolution No. 9 be concurred in.

Substitute Senate Bill No. 133 be concurred in.

Senate Bill No. 13 that the enacting clause be stricken out.

Senate Bill No. 47 be referred to Irrigation Committee.

MORRIS, Chairman.

Moved by Morris, duly seconded, that report be adopted.

Moved by Flachsenhar, duly seconded, that Senate Bill No. 13 be segregated from the report.

Moved by Keeley, as substitute motion, duly seconded, that motion to segregate Senate Bill No. 13, be laid on the table.

Question arising on substitute motion, roll call having been demanded, same is lost by following vote:

Ayes: Akofer, Anderson, Beadle, Bergstrom, Besancon, Brandt, Cusick, Dellwo, Fletcher, Fox, Green, Joffray, Keeley, Kelly, Kennedy, Kinville, Leavens, Meagher, Merritt, Miller, Murphy, McCarty, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Sales, Smith (Lewis and Clark), Smith (Beaverhead), Stoddard, Troy, Walton, White. Total—36.

Noes: Andrus, Berryman, Budas, Burns, Campbell, Castles, Clarke, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Flynn, Graybill, Hanson, Harris, Hawley, Hedrick, Higham, Johnson (Fergus), Larsen, A. T. (Sheridan), Lincoln, Masters, Moriarity, Morris, Moss, Moulton, Mulholland, Nelson, Reed, Rice, Ruffcorn, Rupert, Ryder, Strange, Throssel, Tinsley, Waite, Walker, Woods, Wuerthner, Zeh, Mr. Speaker. Total—46.

Present and not voting. Nagle. Total—1.

Absent and not voting: Ainsworth, Caplis, Davis, Gordon, Hardcastle, Hoffman, Holt, Holton, Johnson (Valley), Larson (Cascade), Larson Robert (Sheridan), Lemmon, Loble, McAfee, McGrath, Schoening, Shields, Steeves, Wold. Total—19.

Question arising on motion to segregate Senate Bill No. 13, same carried.

Question not arising on motion that report of Committee of the Whole, with Senate Bill No. 13 segregated therefrom, be adopted, same carried.

There being no objections, House reverted to Order of Business No. 4:

## REPORTS OF STANDING COMMITTEES

The following reports were received from Standing Committees:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 37, introduced by Watson, respectfully report as follows: That Senate Bill No. 37 be amended as follows:

By striking out in line 10, page 3, Section 3, the words "one witness" and inserting in lieu thereof the words "two witnesses who shall be qualified electors and freeholders of the precinct as that of the applicant."

Also by inserting after the word "printed," line 27, page 3, Section 3, the following: "and before the official ballot or ballots are delivered to the Judges of Election." and as amended it be concurred in.

BURNS, Chairman.

On motion of Burns, report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 451, by Appropriations Committee, respectfully report as follows: That House Bill No. 451 do pass.

WOLD, Chairman.

On motion of Donaldson, report adopted.



Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 453, by Appropriations Committee, respectfully report as follows: That House Bill No. 453 do pass.

WOLD, Chairman.

On motion of Donaldson, report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 456, by Appropriations Committee, respectfully report as follows: That House Bill No. 456 do pass.

WOLD, Chairman.

On motion of Donaldson, report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 455, by Appropriations Committee, respectfully report as follows: That House Bill No. 455 be amended as follows:

Amend Section 1 by striking out the words and figures in the lines numbered 12 to 14 reading as follows: "For payment of salaries, supplies and other expenses of the Livestock Sanitary Board, to be paid from the Livestock Sanitary Board Fund,

Nine Thousand Dollars .....\$9,000.00

and substituting in lieu thereof the words and figures, "For the payment of salaries, supplies and expenses of the Livestock Sanitary Board and for the payment of slaughtered stock as provided by Chapter 262, Session Laws of 1921, such sums as may be required."

Amend Section 2. By striking out the words and figures in lines numbered 4 to 7 reading as follows: "For the payment of salaries, supplies and other expenses of the Livestock Sanitary Board, to be paid from the Livestock Sanitary Board Fund,

Nine Thousand Dollars .....\$9,000.00

and substitute in lieu thereof the words and figures, "For the payment of salaries, supplies and expenses of the Livestock Sanitary Board and for the payment of slaughtered stock as provided by Chapter 262 Session Laws of 1921, such sums as may be required."

And when so amended same do pass.

WOLD, Chairman.

On motion of Donaldson, report adopted.

Mr. Speaker. We, your Committee on Fairs and Expositions, having had under consideration Senate Bill No. 136, introduced by Church, respectfully report as follows: That said Senate Bill No. 136, be reported out without recommendation and be recommended to be placed on General Orders.

PEAT, Chairman.

Moved by Loble, duly seconded, that report be adopted.

Moved by Ruffcorn, as substitute motion, duly seconded, that Senate Bill No. 136 do not pass.

Moved by Castles, duly seconded, that substitute motion be laid on the table.

Call of the House is demanded, seconded by 15 members.

On roll call Schoening and Miller were found absent and not excused.

Moved by Ruffcorn, duly seconded and carried, that further action on call of the House be dispensed with.

Question arising on motion that substitute motion be laid on the table, roll call having been demanded, motion is lost by the following vote:

Ayes: Bergstrom, Besancon, Brandt, Budas, Burns, Castles, Clarke, Cusick, Donaldson, Duncan, Eaton, Fairgrieve, Flachsenhar, Fletcher, Graybill, Green, Hanson, Hedrick, Higham, Holton, Johnson (Valley), Larsen, A. T. (Sheridan), Larson, Robert (Sheridan), Lincoln, Morris, Moss, McAfee, McCarty, Parkin, Peterson, Plank, Plumer, Rice, Ruffcorn, Ryder,

Sales, Smith (Beaverhead), Steeves, Walton, White, Woods, Wuerthner. Total—42.

Noes: Akofer, Anderson, Andrus, Beadle, Campbell, Dellwo, Doran, Fitzgarrald, Fitzgerald, Fox, Hardcastle, Harris, Hawley, Hoffman, Joffray, Johnson (Fergus), Keeley, Kelly, Kennedy, Kinville, Leavens, Loble, Masters, Meagher, Merritt, Moriarity, Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Patterson, Peat, Reed, Rupert, Smith (Lewis and Clark), Stoddard, Strange, Troy, Waite, Walker, Wold, Mr. Speaker. Total—44.

Absent and not voting: Ainsworth, Berryman, Caplis, Davis, Flynn, Gordon, Holt, Larson (Cascade), Lemmon, Miller, Schoening, Shields, Throssel, Zeh. Total—14.

McGrath and Tinsley paired. Total—2.

Question now arising on substitute motion that Senate Bill No. 136 do not pass, same is lost.

Question now arising on original motion to adopt report, roll call having been demanded, same carried, by the following vote:

Ayes: Akofer, Anderson, Andrus, Beadle, Campbell, Dellwo, Doran, Fairgrieve, Fitzgerald, Fitzgarrald, Fox, Hanson, Hardcastle, Harris, Hawley, Hedrick, Higham, Hoffman, Joffray, Johnson (Fergus), Keeley, Kelly, Kennedy, Kinville, Leavens, Loble, Masters, Meagher, Merritt, Moriarity, Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Patterson, Peat, Reed, Rupert, Smith (Lewis and Clark), Stoddard, Strange, Troy, Waite, Walker, White, Wold. Total—48.

Noes: Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Castles, Clarke, Cusick, Donaldson, Duncan, Eaton, Flachsenhar, Fletcher, Graybill, Green, Holton, Johnson (Valley), Larsen, A. T. (Sheridan), Larsan, Robert (Sheridan), Lincoln, Morris, Moss, McAfee, McCarty, Parkin, Peterson, Plank, Plumer, Rice, Ruffcorn, Ryder, Sales, Smith (Beaverhead), Steeves, Walton, Woods, Wuerthner. Total—38.

Caplis and Larson (Cascade), paired. McGrath and Tinsley, paired. Total—4.

Present and not voting: Flynn, Throssel. Total—2.

Absent and not voting: Ainsworth, Davis, Gordon, Holt, Lemmon, Miller, Schoening, Shields, Zeh. Total—9.

The printing committee reported as follows:

Helena, Montana, February 28, 1925.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 447-452, beg leave to report that the same have this date been returned from the printer correctly printed."

FRED ZEH, Chairman.

## INTRODUCTION OF BILLS AND MEMORIALS

The following bill was introduced, read first and second times, second time at length, and referred to Appropriations Committee:

House Bill No. 457, introduced by Appropriations Committee: A Bill for an Act entitled: "An Act appropriating money for the Horticultural Revolving Fund, for the Fish and Game Commission; for the administration of motor vehicles license laws; for the State Board of Hail Insurance and for the insurance."

## CONSIDERATION OF GENERAL ORDERS

Moved by Hanson, duly seconded and carried, that House now resolve itself into Committee of the Whole for Consideration of General Orders under the rules of the previous sitting.

Mr. Morris in the chair.

The Committee arose.

Mr. Speaker in the chair.

The Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration Bills on General Orders, respectfully report as follows: That Senate Bill No. 161 be referred to Committee on Public Morals.

Senate Bill No. 182 be passed for time being.

Senate Bill No. 31 be concurred in.

Senate Bill No. 60 be concurred in.

Senate Bill No. 96 be concurred in.

Senate Bill No. 168 that the enacting clause be stricken out.

MORRIS, Chairman.

On motion of Morris, report adopted.

There being no objections, House reverted to Order of Business No. 6:

### MOTIONS AND RESOLUTIONS

Moved by Flachsenhar, duly seconded and carried, that members of the mock session be given the use of the assembly room immediately after adjournment today, and that they also be given the use of the assembly room Tuesday evening after 7:30 P. M.

Moved by Fairgrieve, duly seconded and carried, that House now adjourn until 9:30 A. M. Monday, March 2, 1925.

R. C. BRICKER, Speaker.

Attest: H. J. FAUST, Chief Clerk.

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### FIFTY-SEVENTH DAY

House of Representatives,  
Helena, Montana, March 2, 1925.

House met pursuant to adjournment at 9:30 A. M.

Mr. Speaker in the chair.

Prayer by the Chaplain.

On roll call all present except: Caplis and Lemmon, excused on account of sickness.

The Committee on Journal reported as follows:

Mr. Speaker: We, your Committee on Journal, have this day examined the Journal for the 55th Legislative day and found the same correct.

PEARL I. SMITH, Chairman.

On motion of Smith of Beaverhead, report adopted.

### REPORTS OF STANDING COMMITTEES

The following report was received from Appropriations Committee:

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 457, by Appropriations Committee, respectfully report as follows: That House Bill No. 457 be amended as follows:

Section 5. By adding the following sentence to same: "That there is also hereby appropriated, to be paid from the Hail Insurance fund such sums as may be needed for the payment of losses as adjusted and approved and for the payment of interest on registered warrants."

Section 6. By adding the following sentence to same: "That there is also hereby appropriated, to be paid from the Hail Insurance fund such sums as may be needed for the payment of losses as adjusted and approved and for the payment of interest on registered warrants."



Section 7. By adding in first line between the words "which" and "are" the word "now," between the words "are" and "by" the words "or will," between the words "Law" and "Deposited" the word "be," and by striking out in the second and third lines, the words "during the period beginning July 1st, 1925, and ending June 30, 1926," and by striking out the period at the end of section and adding the words "as provided by law."

Section 8. By striking out all of same, and renumbering Sections 9, 10, 11, 12, as Sections 8, 9, 10 and 11.

And when so amended, same do pass.

O. M. WOLD, Chairman.

On motion of Smith of Beaverhead, report adopted.

### MOTIONS AND RESOLUTIONS

Moved by Smith of Beaverhead that Senate Bills Nos. 353 and 448 respectively, be placed at the foot of the list of General Orders.

The Committee on Enrolling reported as follows:

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled:

House Bills No. 300, 95, 340, 93, 341, 256, 382, 198, 283, 106, 91, 23.

McAFEE, Chairman.

### CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

The following messages were received from the Senate:

Helena, Montana, February 28, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President this day appointed Senators Survant, Speer and McCormick to act with a like committee from the House as a Conference Committee on House Bill No. 86.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 28, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President this day appointed Senators Conser, Hazelbaker and Porter to act with a like committee from the House as a Conference Committee on House Bill No. 50.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 28, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President this day appointed Senators Pomeroy, Green and Corrington to act with a like committee from the House as a Conference Committee on House Bill No. 308.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 28, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee of the Whole, having had under consideration the following House bills, recommend that same be not concurred in. Report adopted and bills are herewith returned to the House:

Substitute House Bill No. 59, by Committee on Privileges and Elections.

House Bill No. 348 by McAfee.

House Bill No. 374 by Schoening.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 28, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Standing Committees have this day reported the following House Bills for non-concurrence. Reports adopted and bills are herewith returned to the House.

House Bill No. 269 by Committee on Privileges and Elections.

House Bill No. 4 by Committee on Constitutional Amendments.

House Bill No. 267 by Committee on Education.

House Bill No. 444 by Committee on Taxation.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 28, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Compensation, having had under consideration House Bill No. 389, introduced by Committee on Waterways and Navigation, report that same be not concurred in and same is herewith returned to the House.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 28, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Sanitary Affairs report that House Bill No. 141 be amended as follows:

Amend line 5, page 2, of the original bill, by striking out the word "ten" and inserting in lieu thereof the word "fifteen," so as to read the same as the printed bill, and, as amended, it be concurred in. Report adopted.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 28, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Agriculture reports that House Bill No. 320 be amended as follows:

Amend by adding in line 1, line 11, line 18. Section 1, of the printed bill, after the word "persons" the following: "Except for a regularly established wholesale or retail dealer or merchant who is rated in the Commercial Agencies," and, as amended, it be concurred in. Report adopted.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 28, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Judiciary reports that House Bill No. 242 be amended as follows:

Amend Section 1, of the original bill, by striking out lines 2 and 3 from Section 1, and inserting in lieu thereof the following: "Business of retailing to consumers on the streets or by going from residence to residence and there soliciting, selling or offering to sell, or," and, as amended, it be concurred in. Report adopted.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 28, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Banks and Banking this day reports that House Bill No. 277 be amended as follows:

Amend Section 4767 by striking out in line 21 of House Bill No. 277 the words "one and one-half" and inserting in lieu thereof the words "two," and striking out all former amendments, and, as amended, it be concurred in. Report adopted.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 28, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that, on motion duly made and seconded, the request of the House for the return of Senate Bill No. 86 for further consideration was granted and the bill is herewith returned.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 28, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee of the Whole, having had under consideration Business on General File, respectfully report and recommend as follows:

That Senate Bill No. 55 do pass.

That House Bill No. 312 be concurred in.

That House Bill No. 219 be concurred in.

That House Bill No. 437 be concurred in.

That House Bill No. 285 be concurred in.

That House Bill No. 380 be concurred in.

That consideration of House Bill No. 361 be passed for the day.

That consideration of House Bill No. 357 be passed for the day.

That consideration of House Bill No. 348 be passed for the day.

That House Bill No. 328 be concurred in.

That House Bill No. 253 be concurred in.

That Substitute House Bill No. 163 be concurred in.

That House Bill No. 169 be concurred in.

That consideration of House Bill No. 190 be passed for the day.

That House Bill No. 35 be amended in Section 14 by adding 21½ after the word "state," the words "in addition to the fees required of dealers under the provisions of Section 1760 of the Revised Codes of Montana," and that as amended, passed for the day.

That House Bill No. 398 be concurred in.

That House Bill No. 406 be concurred in.

That House Bill No. 423 be concurred in.

That House Bill No. 426 be concurred in.

That House Bill No. 374 be amended by striking out the enacting clause.

That House Bill No. 59 be amended by striking out the enacting clause.

That House Bill No. 99 be concurred in.

That Substitute for House Bill No. 109 be concurred in.

That House Bill No. 194 be concurred in.

That House Bill No. 244 be concurred in.

That House Bill No. 338 be concurred in.

That House Bill No. 339 be concurred in.

That House Bill No. 372 be concurred in.

That House Bill No. 381 be concurred in.

That House Bill No. 392 be concurred in.

That House Bill No. 395 be amended in Section 1 by inserting after the word "established" in line 1 the following: "subject to the approval of the State Board of Education," also in Section 7 by adding the following at the



end of the section "provided that any action taken by said commission above provided for shall be subject to review by the State Board of Education with the right in said board to accept or reject any action of said commission either in part or in toto," also in Section 7 by striking out in line 2 the words "July 1925," and inserting in lieu thereof the words "July 1926," also in Section 7 by striking out in line 3 the words "September 1925" and inserting in lieu thereof the words "September 1926," and as so amended, recommend same be concurred in.

That House Bill No. 420 be concurred in.

That House Bill No. 303 be concurred in.

Report adopted.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 28, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee of the Whole, having had under consideration Business on General File, report as follows:

That House Bill No. 40 be concurred in.

That House Bill No. 35 be amended as follows:

Committee of the Whole amendment to House Bill No. 35: Amend by striking out the whole of said Section 17, and inserting in lieu thereof the following:

"Section 17. The sheriffs of the several counties shall enforce the provisions of this Act."

Amend Section 22 by striking out in line 1 after the word day "all of said Section" and inserting in lieu thereof the words "January 1st, 1926," and, as amended, passed for the day.

That House Bill No. 190 be amended in Committee of the Whole as follows:

Amend Section 1 by striking out all of lines 3 to 23 inclusive, of the printed bill, and inserting in lieu thereof the following: "1783 State Highway Commission, Creation, Salary and Bond, Terms. There is hereby created a commission to be known as the State Highway Commission to consist of three members to be appointed by the Governor and each of said members shall be a citizen of the United States and of the State of Montana.

Each commissioner shall hold office for the term of four years and until his successor is appointed and qualified and shall receive as compensation to be paid out of the Highway fund the sum of Ten Dollars (\$10.00) per diem for each day actually engaged in the duties of his office, including his time of travel between his home and place of employment of such duties, together with his traveling expenses while away from his home in the performance of the duties of his office. Provided, however, that said commissioners herein provided for, shall not be appointed until such time as a vacancy exists in said commission as constituted at this time.

The commission shall choose one of its own number as chairman and shall have power to appoint an engineer and other employees of the commission. The office of said commission shall be maintained in the State Capitol Building.

Each commissioner shall give bond conditioned for the faithful performance of his duties in the sum of ten thousand dollars (\$10,000.00).

Amend the title of the bill by striking out in line 3 of the title the words "and commissioners," and, as amended, it be concurred in.

That House Bill No. 348 be amended by striking out the enacting clause.

That House Bill No. 357 be concurred in.

That House Bill No. 361 be concurred in.

That action on Substitute for House Bill No. 139 be indefinitely postponed.

That House Bill No. 141 be concurred in.

That House Bill No. 175 be concurred in.

That House Bill No. 209 be concurred in.

That House Bill No. 314 be concurred in.

That House Bill No. 318 be concurred in.

That House Bill No. 320 be concurred in.

That House Bill No. 369 be concurred in.

That House Bill No. 385 be concurred in.

That House Bill No. 229 be concurred in.

That House Bill No. 242 be concurred in.

That House Bill No. 342 be concurred in.

That House Bill No. 37 be concurred in.

That House Bill No. 275 be concurred in.

That House Bill No. 277 be concurred in.

That House Bill No. 396 be concurred in.

That House Bill No. 441 be concurred in.

That House Bill No. 439 be concurred in.

That House Bill No. 318 consideration passed for the day.

That Joint Resolution No. 2 be passed for the day.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 28, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Standing Committees this day report as follows:

Committee on Railroads and Transportation reports that House Bill No. 314 be concurred in; that House Bill No. 369 be concurred in; that House Bill No. 139 be concurred in.

Committee on Counties and Towns reports that House Bill No. 318 be not concurred in; that House Bill No. 175 be concurred in.

Committee on Privileges and Elections reports that House Bill No. 269 be not concurred in.

Committee on Agriculture reports that House Bill No. 209 be concurred in.

Committee on Education reports that House Bill No. 267 be not concurred in; that House Joint Resolution No. 2 be not concurred in.

Committee on Counties and Towns reports that House Bill No. 275 be concurred in.

Committee on Constitutional amendments reports that House Bill No. 37 be concurred in; that House Bill No. 4 be not concurred in.

Committee on Dairies and Dairying reports that House Bill No. 342 be submitted without recommendation.

Committee on Taxation report that House Bill No. 441 be concurred in; that House Bill No. 444 be not concurred in; that House Bill No. 439 be concurred in.

Committee on Fish and Game reports that House Bill No. 396 be concurred in.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 28, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Finance and Claims recommend that House Bill No. 385 be amended as follows:

That the figures "219.50" in line 23 be struck out and that the figures "197.55" be inserted in lieu thereof.

That the figures "81.48" in line 24 be struck out and that the figures "73.33" be inserted in lieu thereof.

That the figures "427.76" in line 25 be struck out and that the figures "384.98" be inserted in lieu thereof.

That the figures "178.54" in line 26 be struck out and that the figures "160.69" be inserted in lieu thereof.

That the figures "359.76" in line 27 be struck out and that the figures "323.78" be inserted in lieu thereof.

That the figures "125.85" in line 28 be struck out and that the figures "113.26" be inserted in lieu thereof.

That the figures "83.29" in line 29 be struck out and that the figures "74.06" be inserted in lieu thereof.

That the figures "164.72" in line 30 be struck out and that the figures "148.25" be inserted in lieu thereof.

That the figures "21010" in line 1 of page 2 be struck out and that the figures "189.09" be inserted in lieu thereof.

That the figures "175.47" in line 2 of page 2 be struck out and that the figures "157.92" be inserted in lieu thereof.

That the figures "129.52" in line 3 of page 2 be struck out and that the figures "116.57" be inserted in lieu thereof.

That the figures "182.57" in line 4 of page 2 be struck out and that the figures "164.31" be inserted in lieu thereof.

That the figures "282.73" in line 5 of page 2 be struck out and that the figures "254.46" be inserted in lieu thereof.

That the figures "188.40" in line 6 of page 2 be struck out and that the figures "169.56" be inserted in lieu thereof.

That the figures "237.32" in line 7 of page 2 be struck and that the figures "213.59" be inserted in lieu thereof.

That the figures "273.35" in line 8 of page 2 be struck out and that the figures "246.01" be inserted in lieu thereof.

That the figures "181.49" in line 9 of page 2 be struck out and that the figures "163.34" be inserted in lieu thereof.

That the figures "141.81" in line 10 of page 2 be struck out and that the figures "127.63" be inserted in lieu thereof.

That the figures "260.29" in line 11 of page 2 be struck out and that the figures "234.26" be inserted in lieu thereof.

That the figures "113.27" in line 12 of page 2 be struck out and that the figures "102.35" be inserted in lieu thereof.

That the figures "201.41" in line 13 of page 2 be struck out and that the figures "181.27" be inserted in lieu thereof.

That the words and figures "twenty-five hundred dollars (\$2,500)" in line 16 of page 2 of the original bill be struck out and the words and figures "two thousand dollars (\$2,000)" be inserted in lieu thereof.

That the bill be further amended by striking out lines 28, 29, 30 of page 4 of the original bill and lines 1, 2, 3 of page 5 of the original bill.

And as so amended that said bill be concurred in.

Report adopted.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 28, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Judiciary reports that House Bill No. 229 be amended as follows:



Amend the title of the bill in line 1, by inserting after the word "Transient" and before the word "Merchant" the word "Retail."

In line 2 of the title, insert after the word "Transient" and before the word "Merchants" the word "Retail."

Strike out all of Section 1 of said bill and insert in lieu thereof the following: Section 1. Every person, firm or corporation, acting for himself or itself, or representing any other person, firm or corporation who or which brings into temporary premises, into any county of this state, a stock of goods, wares or articles of merchandise, or notions, or other articles of trade, and who or which solicits, sells or offers to sell, or exhibits for sale, such stock of goods, wares or articles of merchandise or notions or other articles of trade at retail, is within the meaning of this Act, a transient retail merchant, and such definition shall continue to apply until such person, firm or corporation shall be continuously engaged at such particular place in the county for a period of one year.

"Temporary premises" within the meaning of this Act shall be continued to include any hotel, rooming-house, store room, building or any part of any building whatsoever, tent, vacant lot, freight station, railroad car, or any public or quasi-public place, temporarily occupied for such business.

Amend the bill wherever the words "Transient Merchant" appears by striking out the same, and inserting in lieu thereof, the words "Transient Retail Merchant."

And, as amended, it be concurred in. Report adopted.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 28, 1925.

Mr. Speaker: I have the honor to inform you that on motion of Senator Hazelbaker, duly seconded and carried, the following nominations were this day confirmed by the State Senate of Montana:

Dr. H. A. Bolton of Lewis and Clark County, to be Superintendent of the Asylum for the Insane, for the term of four years beginning March 7, 1925.

A. H. Bowman of Big Horn County, to be Commissioner of Agriculture for the term of four years beginning April 1, 1925.

I. M. Brandjord of Lake County, to be Register of State Lands, for the term of four years, beginning April 16, 1925.

Respectfully,

J. F. CONE, Secretary of Senate.

The Speaker gave notice to the House that he was about to sign House Bills Nos. 23, 91, 106, 283, 198, 382, 256, 341, 93, 340, 95 and 300, and thereupon signed the same respectively.

### THIRD READING OF SENATE BILLS

Senate Joint Resolution No. 8, by Griffin, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Clarke, Cusick, Davis, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgerald, Flachsenhar, Flynn, Gordon, Green, Hanson, Harcastle, Harris, Hawley, Hedrick, Higham, Hoffman, Holton, Johnson (Valley), Keeley, Kelly, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Loble, Masters, Meagher, Merritt, Miller, Moriarity, Morris, Moulton, Mulholland, Murphy, McAfee, McGrath, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Rice, Ruffcorn, Rupert, Ryder, Sales, Smith (Beaver-

head), Steeves, Stoddard, Strange, Throssel, Tinsley, Waite, Walker, Walton, White, Woods, Mr. Speaker. Total—78.

Noes: Plumer. Total—1.

Absent and not voting: Campbell, Caplis, Castles, Dellwo, Fitzgarrald, Fletcher, Fox, Graybill, Holt, Joffray, Johnson (Fergus), Lemmon, Moss, McCarty, Nagle, Reed, Schoening, Shields, Smith (Lewis and Clark), Troy, Wold, Wuerthner, Zeh. Total—23.

Senate Joint Resolution No. 9, by Gilboe, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Castles, Clarke, Cusick, Davis, Donaldson, Duncan, Eaton, Fairgrieve, Fitzgerald, Flachsenhar, Fletcher, Flynn, Fox, Gordon, Graybill, Green, Hanson, Harris, Hedrick, Higham, Hoffman, Holton, Johnson (Fergus), Johnson (Valley), Keeley, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Loble, Masters, Merritt, Morris, Moss, Moulton, Mulholland, Murphy, McGrath, Nelson, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Rice, Ruffcorn, Rupert, Ryder, Sales, Schoening, Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Tinsley, Troy, Waite, Walker, Walton, White, Woods, Wuerthner, Zeh, Mr. Speaker. Total—79.

Noes: None.

Absent and not voting: Campbell, Caplis, Dellwo, Doran, Fitzgarrald, Hardcastle, Hawley, Holt, Joffray, Kelly, Kennedy, Lemmon, Meagher, Miller, Moriarity, McAfee, Nagle, Nelstead, Reed, Shields, Smith (Lewis and Clark), Wold, McCarty. Total—23.

Senate Bill No. 31, by Paul, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Akofer, Anderson, Andrus, Bergstrom, Besancon, Brandt, Budas, Burns, Castles, Cusick, Davis, Donaldson, Duncan, Eaton, Fairgrieve, Fletcher, Gordon, Graybill, Green, Hanson, Harris, Hawley, Hedrick, Higham, Hoffman, Holton, Johnson (Fergus), Johnson (Valley), Keeley, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Miller, Morris, Moss, Murphy, McAfee, McGrath, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Rice, Ruffcorn, Rupert, Ryder, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Throssel, Tinsley, Troy, Waite, Walton, White, Woods, Wuerthner, Zeh, Mr. Speaker. Total—69.

Noes: Ainsworth, Beadle, Berryman, Clarke, Fitzgerald, Flachsenhar, Flynn, Fox, Loble, Masters, Merritt, Moulton, Mulholland, Sales, Strange, Walker. Total—16.

Absent and not voting: Campbell, Caplis, Dellwo, Doran, Fitzgarrald, Hardcastle, Holt, Joffray, Kelly, Lemmon, Meagher, Moriarity, McCarty, Nagle, Reed, Shields, Wold. Total—17.

Substitute Senate Bill No. 34, by Committee on Education, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Besancon, Brandt, Budas, Burns, Castles, Clarke, Cusick, Davis, Donaldson, Duncan, Eaton, Fairgrieve, Fitzgerald, Flachsenhar, Fletcher, Flynn, Gordon, Graybill, Green, Hanson, Harris, Hawley, Hedrick, Higham, Hoffman, Holton, Johnson (Fergus), Johnson (Valley), Keeley, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Loble, Masters, Merritt, Miller, Morris, Moss, Moulton, Mulholland, Murphy, McAfee, McCarty, McGrath, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Reed, Ruffcorn, Rupert, Ryder, Sales, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Strange,



Throssel, Tinsley, Troy, Waite, Walker, Walton, White, Woods, Wuerthner, Zeh, Mr. Speaker. Total—84.

Noes: None.

Absent and not voting: Berryman, Campbell, Caplis, Dellwo, Doran, Fitzgarrald, Fox, Hardcastle, Holt, Joffray, Kelly, Lemmon, Meagher, Moriarity, Nagle, Rice, Shields, Wold. Total—18.

The Speaker gave notice to the House that he was about to sign Senate Bills Nos. 18, 173, Substitute Senate Bill No. 138, and Senate Bill No. 155, and thereupon signed the same.

Senate Bill No. 51, by Speer, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Brandt, Budas, Castles, Clarke, Cusick, Davis, Donaldson, Duncan, Eaton, Fairgrieve, Fitzgerald, Fletcher, Flynn, Gordon, Graybill, Green, Hanson, Harris, Hawley, Hedrick, Higham, Hoffman, Holton, Joffray, Johnson (Fergus), Keeley, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Lincoln, Masters, Merritt, Miller, Morris, Moss, Moulton, Mulholland, Murphy, McGrath, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Reed, Ruffcorn, Ryder, Sales, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Throssel, Tinsley, Waite, Walker, Walton, White, Woods, Wuerthner, Zeh, Mr. Speaker. Total—73.

Noes: None.

Absent and not voting: Bergstrom, Berryman, Besancon, Burns, Campbell, Caplis, Dellwo, Doran, Fitzgarrald, Fox, Hardcastle, Holt, Johnson (Valley), Kelly, Leavens, Lemmon, Loble, Meagher, Moriarity, McAfee, McCarty, Nagle, Rice, Rupert, Shields, Stoddard, Strange, Troy, Wold. Total—29.

Senate Bill No. 60, by Committee on Finance and Claims, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Ainsworth, Akofer, Andrus, Berryman, Brandt, Budas, Burns, Castles, Clarke, Davis, Donaldson, Duncan, Eaton, Fairgrieve, Fitzgarrald, Flachsenhar, Flynn, Graybill, Green, Harris, Hawley, Hedrick, Higham, Holton, Johnson (Fergus), Kinville, Larson (Cascade), Larsen (Sheridan), Loble, Masters, Merritt, Moss, Nagle, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Reed, Rice, Ruffcorn, Ryder, Sales, Schoening, Smith (Lewis and Clark), Steeves, Strange, Throssel, Tinsley, Walton, Woods, Wuerthner, Zeh, Mr. Speaker. Total—56.

Noes: Anderson, Beadle, Besancon, Cusick, Fitzgerald, Fletcher, Gordon, Johnson (Valley), Keeley, Kennedy, Leavens, Lincoln, Miller, Moulton, Mulholland, Murphy, McGrath, Plumer, Smith (Beaverhead), Waite, Walker, White. Total—22.

Absent and not voting: Bergstrom, Campbell, Caplis, Dellwo, Doran, Fox, Hanson, Hardcastle, Hoffman, Holt, Joffray, Kelly, Larson (Sheridan), Lemmon, Meagher, Moriarity, Morris, McAfee, McCarty, Rupert, Shields, Stoddard, Troy, Wold. Total—24.

Senate Bill No. 96, by Stewart, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Clarke, Cusick, Davis, Donaldson, Duncan, Eaton, Fairgrieve, Fitzgerald, Fitzgarrald, Flachsenhar, Fletcher, Flynn, Gordon, Graybill, Green, Harris, Hawley, Hedrick, Higham, Hoffman, Holton, Johnson (Fergus), Johnson (Valley), Keeley, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Loble, Masters, Merritt, Miller, Morris, Moss, Moulton, Mulholland, Murphy, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plumer, Reed, Rice, Rupert, Ryder, Sales, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Strange, Throssel, Tinsley, Waite, Walker, Walton, White, Woods, Zeh, Mr. Speaker. Total—78.



Noes: None.

Absent and not voting: Ainsworth, Campbell, Caplis, Castles, Dellwo, Doran, Fox, Hanson, Hardcastle, Holt, Joffray, Kelly, Lemmon, Meagher, Moriarity, McAfee, McCarty, Plank, Ruffcorn, Shields, Stoddard, Troy, Wold, Wuerthner. Total—24.

Senate Bill No. 123, by Committee on Education, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Clarke, Cusick, Davis, Donaldson, Duncan, Eaton, Fitzgarrald, Fitzgerald, Flachsenhar, Flynn, Gordon, Green, Harris, Hawley, Hedrick, Higham, Hoffman, Holton, Johnson (Fergus), Johnson (Valley), Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Loble, Masters, Merritt, Miller, Moss, Moulton, Mulholland, Murphy, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Reed, Rupert, Schoening, Smith (Lewis and Clark), Steeves, Strange, Throssel, Tinsley, Waite, Walker, Walton, White, Woods, Wuerthner, Zeh, Mr. Speaker. Total—71.

Noes: Keeley, Rice. Total—2.

Absent and not voting: Ainsworth, Campbell, Caplis, Castles, Dellwo, Doran, Fairgrieve, Fletcher, Fox, Graybill, Hanson, Hardcastle, Holt, Joffray, Kelly, Lemmon, Meagher, Moriarity, Morris, McAfee, McCarty, Ruffcorn, Ryder, Sales, Shields, Smith (Beaverhead), Stoddard, Troy, Wold. Total—29.

Senate Bill No. 127, by Committee on Education, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Cusick, Donaldson, Duncan, Eaton, Fairgrieve, Fitzgarrald, Flachsenhar, Fletcher, Flynn, Gordon, Hawley, Hedrick, Higham, Hoffman, Keeley, Larson (Cascade), Leavens, Lincoln, Loble, Masters, Merritt, Morris, Moss, Moulton, Murphy, Nagle, Nelson, Nelstead, Parkin, Patterson, Peat, Reed, Rice, Sales, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Strange, Throssel, Tinsley, Walton, White, Woods, Wuerthner, Zeh, Mr. Speaker. Total—57.

Noes: Beadle, Clarke, Fitzgerald, Graybill, Green, Harris, Johnson (Fergus), Johnson (Valley), Kennedy, Kinville, Larsen (Sheridan), Larson (Sheridan), Miller, Mulholland, McGrath, Plank, Plumer, Rupert, Waite, Walker. Total—20.

Absent and not voting: Campbell, Caplis, Castles, Davis, Dellwo, Doran, Fox, Hanson, Hardcastle, Holt, Holton, Joffray, Kelly, Lemmon, Meagher, Moriarity, McAfee, McCarty, Peterson, Ruffcorn, Ryder, Shields, Stoddard, Troy, Wold. Total—25.

Substitute Senate Bill No. 133, by Committee on Finance and Claims, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Ainsworth, Akofer, Andrus, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Clarke, Cusick, Donaldson, Duncan, Flachsenhar, Fletcher, Flynn, Gordon, Graybill, Green, Harris, Hawley, Hedrick, Higham, Hoffman, Holton, Johnson (Fergus), Johnson (Valley), Kennedy, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Loble, Masters, Merritt, Miller, Moss, Moulton, Mulholland, Murphy, McAfee, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Plank, Plumer, Reed, Rice, Ruffcorn, Rupert, Sales, Schoening, Smith (Beaverhead), Steeves, Throssel, Tinsley, Waite, Walker, Walton, White, Woods, Zeh, Mr. Speaker. Total—67.

Noes: Anderson, Beadle, Fitzgerald. Total—3.

Absent and not voting: Campbell, Caplis, Castles, Davis, Dellwo, Doran, Eaton, Fairgrieve, Fitzgarrald, Fox, Hanson, Hardcastle, Holt, Joffray, Keeley, Kelly, Kinville, Lemmon, Meagher, Moriarity, Morris, McCarty, Peat, Peterson, Ryder, Shields, Smith (Lewis and Clark), Stoddard, Strange, Troy, Wold, Wuerthner. Total—32.

Senate Bill No. 141, by Pauline, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Ainsworth, Akofer, Andrus, Bergstrom, Berryman, Brandt, Budas, Burns, Clarke, Cusick, Donaldson, Fairgrieve, Flachsenhar, Fletcher, Flynn, Gordon, Graybill, Green, Harris, Hawley, Hedrick, Higham, Hoffman, Johnson (Fergus), Johnson (Valley), Keeley, Kennedy, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Loble, Masters, Merritt, Miller, Moss, Moulton, Mulholland, Murphy, McAfee, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Plank, Rice, Ruffcorn, Ryder, Sales, Schoening, Smith (Beaverhead), Steeves, Strange, Throssel, Waite, Walton, White, Woods, Mr. Speaker. Total—62.

Noes: Anderson, Fitzgerald, Plumer, Tinsley. Total—4.

Absent and not voting: Beadle, Besancon, Campbell, Caplis, Castles, Davis, Dellwo, Duncan, Eaton, Fitzgarrald, Fox, Hanson, Hardcastle, Holt, Holton, Joffray, Kelly, Kinville, Lemmon, Meagher, Moriarity, Morris, Peat, Peterson, Reed, Rupert, Shields, Smith (Lewis and Clark), Stoddard, Troy, Walker, Wold, Wuerthner, Zeh, Doran. Total—36.

Senate Bill No. 160, by Griffin, Pauline and Buttelman, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Anderson, Andrus, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Clarke, Donaldson, Duncan, Eaton, Flachsenhar, Fletcher, Gordon, Graybill, Green, Harris, Hawley, Hedrick, Higham, Hoffman, Johnson (Fergus), Johnson (Valley), Kennedy, Larson (Cascade), Larson (Sheridan), Leavens, Lincoln, Loble, Masters, Merritt, Miller, Morris, Moss, Moulton, Mulholland, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Peterson, Rice, Ruffcorn, Rupert, Sales, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Strange, Throssel, Tinsley, Waite, Walton, White, Woods, Mr. Speaker. Total—60.

Noes: Ainsworth, Beadle, Cusick, Fitzgerald, Flynn, Holton, Plumer. Total—7.

Absent and not voting: Akofer, Campbell, Caplis, Castles, Davis, Dellwo, Doran, Fairgrieve, Fitzgarrald, Fox, Hanson, Hardcastle, Holt, Joffray, Keeley, Kelly, Kinville, Larsen (Sheridan), Lemmon, Meagher, Moriarity, Murphy, McAfee, McCarty, Peat, Plank, Reed, Ryder, Shields, Stoddard, Troy, Walker, Wold, Wuerthner, Zeh. Total—35.

Senate Bill No. 174, by Griffin, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Ainsworth, Anderson, Andrus, Beadle, Bergstrom, Berryman, Budas, Burns, Castles, Clarke, Cusick, Donaldson, Duncan, Eaton, Fitzgerald, Flachsenhar, Flynn, Fox, Gordon, Graybill, Green, Hanson, Harris, Hawley, Hedrick, Higham, Hoffman, Holton, Johnson (Valley), Kennedy, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Loble, Masters, Merritt, Miller, Moss, Moulton, Mulholland, Murphy, McGrath, Nelson, Nelstead, Parkin, Patterson, Peterson, Plank, Plumer, Rice, Rupert, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Strange, Throssel, Tinsley, Waite, Walton, White, Woods, Wuerthner, Zeh, Mr. Speaker. Total—67.

Noes: None.

Absent and not voting: Akofer, Besancon, Brandt, Campbell, Caplis, Davis, Dellwo, Doran, Fairgrieve, Fitzgarrald, Fletcher, Hardcastle, Holt, Joffray, Johnson (Fergus), Keeley, Kelly, Kinville, Lemmon, Meagher, Moriarity, Morris, McAfee, McCarty, Nagle, Peat, Reed, Ruffcorn, Ryder, Sales, Shields, Stoddard, Troy, Walker, Wold. Total—35.



Senate Bill No. 175, by Survant, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Ainsworth, Anderson, Andrus, Beadle, Bergstrom, Berryman, Brandt, Budas, Castles, Clarke, Cusick, Davis, Duncan, Eaton, Fitzgerald, Flachsenhar, Fletcher, Flynn, Fox, Gordon, Graybill, Green, Hanson, Harris, Hawley, Hedrick, Higham, Hoffman, Holton, Johnson (Valley), Kennedy, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Loble, Masters, Merritt, Morris, Moulton, Mulholland, Murphy, McGrath, Nelson, Nelstead, Parkin, Patterson, Peterson, Plank, Plumer, Reed, Rice, Ruffcorn, Rupert, Sales, Schoening, Smith (Lewis and Clark), Steeves, Strange, Throssel, Tinsley, Waite, Walton, White, Woods, Zeh, Mr. Speaker. Total—68.

Noes: None.

Absent and not voting: Akofer, Besancon, Burns, Campbell, Caplis, Dellwo, Donaldson, Doran, Fairgrieve, Fitzgarrald, Hardcastle, Holt, Joffray, Johnson (Fergus), Keeley, Kelly, Kinville, Lemmon, Meagher, Miller, Moriarity, Moss, McAfee, McCarty, Nagle, Peat, Ryder, Shields, Smith (Beaverhead), Stoddard, Troy, Walker, Wold, Wuerthner. Total—34.

Senate Bill No. 178, by Buttelman and Watson, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Brandt, Budas, Burns, Castles, Clarke, Cusick, Davis, Donaldson, Duncan, Eaton, Fitzgerald, Flachsenhar, Fletcher, Flynn, Fox, Gordon, Graybill, Green, Harris, Hawley, Hedrick, Higham, Holton, Johnson (Fergus), Johnson (Valley), Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Loble, Masters, Merritt, Miller, Moulton, Mulholland, Murphy, McAfee, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Peterson, Plank, Reed, Rice, Rupert, Ryder, Sales, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Strange, Throssel, Tinsley, Walton, White, Woods, Zeh, Hoffman, Mr. Speaker. Total—73.

Noes: Keeley, Plumer, White. Total—3.

Absent and not voting: Besancon, Campbell, Caplis, Dellwo, Doran, Fairgrieve, Fitzgarrald, Hanson, Hardcastle, Holt, Joffray, Kelly, Lemmon, Meagher, Moriarity, Morris, Moss, McCarty, Peat, Ruffcorn, Shields, Stoddard, Troy, Walker, Wold, Wuerthner. Total—26.

Senate Bill No. 183, by Committee on Stock Growing and Grazing, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Castles, Clarke, Cusick, Davis, Donaldson, Doran, Duncan, Fairgrieve, Fitzgerald, Flachsenhar, Fletcher, Flynn, Fox, Gordon, Graybill, Green, Hardcastle, Harris, Hawley, Hedrick, Higham, Hoffman, Holton, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Loble, Masters, Meagher, Merritt, Miller, Moriarity, Morris, Moulton, Mulholland, Murphy, McAfee, McCarty, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Peterson, Plank, Rice, Rupert, Ryder, Sales, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Throssel, Tinsley, Waite, Walton, White, Woods, Zeh, Mr. Speaker. Total—81.

Noes: None.

Absent and not voting: Campbell, Caplis, Dellwo, Eaton, Fitzgarrald, Hanson, Holt, Joffray, Lemmon, Moss, Peat, Plumer, Reed, Ruffcorn, Shields, Stoddard, Strange, Troy, Walker, Wold, Wuerthner. Total—21.

Senate Bill No. 184, by Linn, et al., having been read three several times, title and history agreed to, was concurred in by the following vote:



Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Castles, Clarke, Cusick, Davis, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgerald, Flachsenhar, Fletcher, Flynn, Fox, Gordon, Graybill, Green, Hawley, Hedrick, Hoffman, Holton, Johnson (Fergus), Johnson (Valley), Kennedy, Kinville, Larsen (Sheridan), Leavens, Lincoln, Masters, Miller, Morris, Mulholland, Murphy, McAfee, McCarty, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Peterson, Plank, Plumer, Reed, Ruffcorn, Rupert, Ryder, Sales, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Strange, Throssel, Troy, Waite, Walker, Walton, White, Woods, Zeh, Mr. Speaker. Total—75.

Noes: Keeley. Total—1.

Absent and not voting: Caplis, Dellwo, Fitzgarrald, Hanson, Hardcastle, Harris, Higham, Holt, Joffray, Kelly, Larson (Cascade), Larson (Sheridan), Lemmon, Loble, Meagher, Merritt, Moriarity, Moss, Moulton, Peat, Rice, Shields, Stoddard, Tinsley, Wold, Wuerthner. Total—26.

The report of the Conference Committee on Senate amendments to House Bill No. 55 was concurred in by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Castles, Clarke, Cusick, Davis, Donaldson, Eaton, Fairgrieve, Fitzgerald, Flachsenhar, Fletcher, Flynn, Fox, Gordon, Graybill, Green, Hanson, Harris, Hawley, Hedrick, Higham, Hoffman, Holton, Johnson (Fergus), Johnson (Valley), Keeley, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Loble, Masters, Merritt, Miller, Morris, Moss, Moulton, Mulholland, Murphy, McAfee, McCarty, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Peterson, Plank, Plumer, Reed, Ruffcorn, Rupert, Ryder, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Stoddard, Strange, Troy, Waite, Walker, Walton, White, Woods, Zeh, Mr. Speaker. Total—81.

Noes: None.

Absent and not voting: Caplis, Dellwo, Doran, Duncan, Fitzgarrald, Hardcastle, Holt, Joffray, Kelly, Lemmon, Meagher, Moriarity, Peat, Rice, Sales, Shields, Steeves, Throssel, Tinsley, Wold, Wuerthner. Total—21.

### CONSIDERATION OF GENERAL ORDERS

Moved by Hansen, duly seconded and carried, that House now resolve itself into Committee of the Whole for Consideration of General Orders under the rules of the previous sitting.

Mr. Beadle in the chair.

The committee arose.

Mr. Speaker in the chair.

The Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration Bills on General Orders, respectfully report as follows:

House Bill No. 424 be referred to Judiciary Committee.

House Bill No. 449 do pass.

House Bill No. 450 do pass.

House Bill No. 447 be amended as follows:

Section 1. By inserting between the words "machine" and "One" the words "and other Capital Expenditure and Repairs and Replacements," and as so amended do pass.

BEADLE, Chairman.

Moved by Beadle, duly seconded, that report be adopted.

Moved by Fitzgerald, duly seconded, that House Bill No. 449 be segregated from the report.

Question arising on motion to segregate House Bill No. 449, same failed.

Question arising on motion to adopt report, same carried.

Moved by Flachsenhar, duly seconded and carried, that House recess until 2:30 P. M.

#### AFTERNOON SESSION

House resumed at 2:30 P. M.

Mr. Speaker in the chair.

There being no objections, House reverted to Order of Business No. 7:

#### CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

The following messages were received from the Governor:

Helena, Montana, February 28, 1925.

The Speaker, House of Representatives,

Helena, Montana.

I have the honor to advise you that I have this day approved the following measures:

House Bill 56—Relating to transportation of pupils.

House Bill 61—Relating to the payment of delinquent taxes.

House Bill 136—Relating to seizure and disposition of vehicles illegally transporting intoxicating liquors.

House Bill 151—Relating to the practice of osteopathy.

House Bill 192—Defining the boundaries of the Gallatin Game Preserve.

House Bill 281—Relating to the penalty for violation of the standard apple box and grades act.

House Bill 294—Relating to school warrants.

House Bill 301—Relating to persons in certain relations being examined as witnesses.

House Joint Resolution No. 7—Providing for the appointment of a commission relative to the services to Montana by the Lewis and Clark expedition.

J. E. ERICKSON, Governor.

Helena, Montana, February 28, 1925.

The Speaker, House of Representatives,

Helena, Montana.

Herewith I am returning House Bill No. 247: "An Act to amend Section 6036 of the Revised Codes of Montana of 1921, as amended by Chapter 9 of the Laws of the Eighteenth Legislative Assembly, relating to liability of stockholders in State Banks and providing means for paying and collecting said liability," without my approval and with my objections thereto.

In considering this measure it should be borne in mind that in the main it is a re-enactment of a provision of the law that has been upon our statute books for years. In 1923 the statute was re-enacted in Chapter 9. Laws of 1923, there being then added to it a provision to the effect that in cases where banks are liquidated by receivers the receiver may institute and maintain suits in the courts of this State for the enforcement of the stockholders' liability, and that he may accept and receipt for payments of the same. There was, under the added provision, no change in the liability, but receivers were enabled to bring suits in the State courts for collection.

It was held, however, that a receiver might not maintain an action in a court without the State of Montana, and it was in order to cure this defect that House Bill No. 247 was introduced. But during its course

through the two branches of the Assembly the measure was amended so that it now carries several additional provisions.

One of the amendments to the bill provides that estate funds can be liable for stockholders' liability only if the claim has been presented against the estate and allowed within the time for presentation of ordinary claims against estates. Thus, where an estate in effect remains a stockholder after the death of a stockholder, the liability would cease at the termination of the period provided for the presentation of ordinary claims against an estate. In estates of \$10,000 or more at the end of ten months, and in estates of less than that sum at the end of four months, the liability would cease, although the estate should remain open and the property continue in the hands of the executor or administrator without distribution for a longer period of time.

The Supreme Court of Montana, speaking of stockholders' liability, made this declaration in the case of Barth vs. Pock, 51 Montana, page 430:

"The liability is several and individual, created by statute in favor of all who are creditors at the date of the bank's failure."

Viewed in the light of that pronouncement from the highest court of the State, it appears that the provisions of House Bill No. 247, that a claim must be presented and allowed within either the four or ten months period, has the effect of abolishing the stockholders' liability after the period mentioned.

Another amendment finding its way into the bill during its journey through the two houses provided that the holder of bank stock should be liable on his shares for six months after transfer—an indefinite and uncertain provision, meaning in effect a duplicate liability. We thus find that one who is no longer a stockholder, having sold his holdings, is yet likewise liable. It seems, therefore, that with this amendment the law would operate to impose a full stockholders' liability for the six months period upon both seller and buyer and upon each one separately, and for the full amount of the capital stock involved. The unfairness of such a provision seems so manifest as to render argument unnecessary. If this rule is to obtain, there should be a further provision clearly defining the extent of liability of both buyer and seller.

In the light of these objectionable features, I cannot give my approval to House Bill No. 247.

J. E. ERICKSON, Governor.

House Bill No. 247, having been returned without the Governor's approval, upon roll call, it failed of passage over the Governor's veto by the following vote:

Ayes: Andrus, Berryman, Brandt, Budas, Burns, Castles, Clarke, Davis, Donaldson, Duncan, Eaton, Fairgrieve, Fitzgarrald, Flachsenhar, Fletcher, Flynn, Gordon, Hanson, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Johnson (Fergus), Johnson (Valley), Keeley, Kennedy, Larson (Cascade), Larsen (Sheridan), Leavens, Masters, Merritt, Morris, Moss, Moulton, McAfee, Nelson, Nelstead, Parkin, Patterson, Reed, Rice, Rupert, Ryder, Sales, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Strange, Throssel, Waite, Walker, White, Wuerthner, Zeh, Mr. Speaker. Total—58.

Noes: Ainsworth, Akofer, Anderson, Beadle, Bergstrom, Besancon, Campbell, Cusick, Dellwo, Doran, Fitzgerald, Fox, Graybill, Green, Hardcastle, Joffray, Kelly, Kinville, Larson (Sheridan), Lincoln, Loble, Meagher, Miller, Moriarity, Mulholland, Murphy, McGrath, Nagle, Peterson, Plank, Plumer, Ruffcorn, Shields, Steeves, Stoddard, Tinsley, Troy, Walton, Wold, Woods. Total—40.

Absent and not voting: Caplis, Lemmon, McCarty, Peat. Total—4.



Helena, Montana, February 28, 1925.

The Speaker, House of Representatives,

Helena, Montana.

Herewith is returned House Bill No. 224: "An Act to amend Section 6048 of the Revised Codes of Montana of 1921, relating to dividends, surplus and losses, defining a bad debt and providing for the charging off of the same," without my approval and with my objections thereto.

It may be that under normal conditions there would be little to complain of concerning the measure under discussion, but none of us is unmindful of the fact that Montana has passed through a severe financial depression, and that bank failures have been numerous. Many of our banks have passed through the ordeal at great sacrifice, but are still solvent and will probably remain so. It seems to me that we should not at this period in our recovery and at the end of our struggle to get back to normal impose new and harsh restrictions.

The bill under consideration makes it imperative upon banks to charge off paper coming under the definition of "bad debts." The definition contained in the bill is rather restrictive. In normal times it would work out all right, but we all know that a great many banks at this time have what is designated as "frozen assets." These frozen assets sometimes consist of first mortgages and other paramount liens on real estate and livestock. In many instances there are second mortgages or judgment liens existing against the debtor and the property. To renew or to liquidate them would inevitably involve the bank in loss. To let them stand under the provisions of this bill would necessitate their being charged off the books of the bank and prevent their being further considered as assets. When an item is charged off as a bad debt the capital must be restored, and there is only one way whereby this may be done, and that is by making an assessment on the stockholders.

It is true that in larger banks this might not involve any trouble. The stockholders of the larger banks are generally in a position to pay, but in many instances the small country banks number in their list of stockholders many who have plenty of assets but very little ready money. To force them to pay a stockholders' assessment might bring about disastrous results to the bank and everyone behind it. Therefore, it is my idea that this bill is too harsh and restrictive for the present period.

Many people think that the financial condition is to be remedied by legislation. That is not true. We have found it necessary to overlook some of the stricter requirements in the matters of banking in both national and state banks in order to "get by." The result has been beneficial. For instance, in 1921, the assembly lowered the reserve requirements from fifteen to ten per cent. This has enabled the banks to get along and survive, when a stricter requirement would have made this impossible. There has been some agitation and endeavor to impose stricter requirements, but those who understand the real situation realize that that cannot be accomplished safely at this time, that it would only result in making it more difficult for the banks that have weathered the days of stress to get back to normal.

What I have said in this connection is actuated more by the thought of disaster that comes to the community at large from bank failures than that part of it visited upon the bankers and stockholders themselves. More grief and financial disaster have come to creditors, depositors and others, where only secondary hurt has come to the owners of the failed banks. I want to prevent the failure of banks and get back to normal. That is a condition for which we are all striving.

We might have been in a position to tighten our banking laws if the good crop of 1924 had been general throughout the State, but unfortunately there were parts of Montana where good crops were not produced. In

those sections it will require further time to thaw out the frozen assets. If that can be accomplished without injury to anyone it should be done.

I have heretofore recommended that there should be changes in our banking code, but certainly these should be worked out with the greatest care and at a time when the needed changes may be accomplished without danger of disaster. We cannot at this critical time of recuperation afford to do anything that will hamper our institutions in their diligent efforts to continue to function so that there may be no loss to our people.

Feeling thus, I am constrained to withhold my approval from House Bill No. 224.

J. E. ERICKSON, Governor.

House Bill No. 224, having been returned without the Governor's approval, upon roll call, it failed of passage over the Governor's veto by the following vote:

Ayes: Andrus, Berryman, Brandt, Burns, Campbell, Castles, Clarke, Davis, Donaldson, Duncan, Eaton, Fairgrieve, Fitzgarrald, Flachsenhar, Gordon, Hanson, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Johnson (Fergus), Johnson (Valley), Keeley, Kennedy, Larson (Cascade), Larsen (Sheridan), Leavens, Masters, Merritt, Morris, Moss, Moulton, McAfee, Nelson, Nelstead, Parkin, Patterson, Plumer, Reed, Ruffcorn, Ryder, Sales, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Strange, Waite, Walker, White, Wuerthner, Zeh, Throssel, Mr. Speaker. Total—56.

Noes: Ainsworth, Akofer, Anderson, Beadle, Bergstrom, Besancon, Budas, Cusick, Dellwo, Doran, Fitzgerald, Fletcher, Flynn, Fox, Graybill, Green, Hardcastle, Joffray, Kelly, Kinville, Larson (Sheridan), Lincoln, Loble, Meagher, Miller, Moriarity, Mulholland, Murphy, McGrath, Nagle, Peterson, Plank, Rice, Rupert, Shields, Steeves, Stoddard, Tinsley, Troy, Walton, Wold, Woods. Total—42.

Absent and not voting: Caplis, Lemmon, McCarty, Peat. Total—4.

Helena, Montana, February 28, 1925.

The Speaker, House of Representatives,

Helena, Montana.

I am returning herewith House Bill No. 226: "An Act to amend Section 6109 of Chapter 13 of Part III of the Civil Code of the Revised Codes of Montana of 1921, as enacted and added to said Chapter 13 by Chapter 90 of the Laws of the Eighteenth Legislative Assembly, relating to banks going into voluntary liquidation," without my approval and with my objections thereto.

While it is true that the bill before me contains no very marked changes in our existing laws, there is an objectionable feature in that this measure provides that liquidation must be accomplished within two years "after going into liquidation," the provision continuing to the effect that if the liquidation be not accomplished within the period prescribed the Superintendent of Banks "may forthwith take possession of the property and business of such bank and complete the liquidation thereof in the same manner provided in case of insolvency."

There is now no provision in our laws for the liquidation of a bank by the Superintendent of Banks or by his department. It might by strained construction be held that the provision in this bill contemplated that the Superintendent of Banks should take charge of the bank and turn it over to a court for the appointment of a receiver in order that the liquidation might be consummated in that manner. This bill, however, leaves that question open to speculation.

Experience has, I believe, demonstrated that a closed bank cannot always be liquidated within two years without a sacrifice of assets, and that persons who are interested in the institution, if honest and efficient, can liquidate a bank more economically than can a stranger who might be appointed to the receivership.



Conceivably, no one would desire to undertake the liquidation of a bank and guarantee the accomplishment of the task within a period of two years, and therefore the question of voluntary liquidation would be virtually eliminated.

Because of these objectionable features, I am impelled to withhold my approval.

J. E. ERICKSON, Governor.

House Bill No. 226, having been returned without the Governor's approval, upon roll call, it failed of passage over the Governor's veto by the following vote:

Ayes: Ainsworth, Andrus, Berryman, Brandt, Burns, Campbell, Castles, Clarke, Davis, Donaldson, Duncan, Eaton, Fairgrieve, Fitzgarrald, Flachsenhar, Fletcher, Gordon, Graybill, Hanson, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Johnson (Fergus), Johnson (Valley), Keeley, Larson (Cascade), Larsen (Sheridan), Leavens, Masters, Merritt, Morris, Moss, Moulton, McAfee, Nelson, Nelstead, Parkin, Patterson, Reed, Rice, Ruffcorn, Rupert, Ryder, Sales, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Strange, Throssel, Waite, Walker, Walton, White, Wold, Wuerthner, Zeh, Mr. Speaker. Total—62.

Noes: Akofer, Anderson, Beadle, Bergstrom, Besancon, Budas, Cusick, Dellwo, Doran, Fitzgerald, Flynn, Fox, Green, Hardcastle, Joffray, Kelly, Kennedy, Kinville, Larson (Sheridan), Lincoln, Loble, Meagher, Miller, Moriarity, Mulholland, Murphy, McGrath, Nagle, Peterson, Plank, Plumer, Steeves, Stoddard, Tinsley, Troy, Woods. Total—36.

Absent and not voting: Caplis, Lemmon, McCarty, Peat. Total—4.

There being no objections, House reverted to Order of Business No. 6:

#### MOTIONS AND RESOLUTIONS

The following resolution was received:

House Resolution No. 4, introduced by Keeley:

Whereas, The cost of gasoline to the consumer in the State of Montana is much greater than in any other state in the Union, notwithstanding that the people of Montana are much closer to refineries than the people of other states; and

Whereas, The taxes and assessments on gasoline are for the most part greater in other states than in Montana; and

Whereas, It would appear that illegal practices in restraint of trade as prohibited by Chapter 14, Part I of the Penal Code of Montana for 1921, are being freely indulged in by oil agencies and companies; and

Whereas, It is made the duty of the Attorney General of the State of Montana by Section 10909 of the Revised Codes of Montana for 1921 to investigate such alleged unfair practices and discriminations, and, if sufficient grounds exist, to prosecute such corporations as may be responsible for such unfair prices, and enjoin such corporations from doing business in Montana, and annul the permits and charters of such corporations;

Now, Therefore, Be It Resolved by the House of Representatives of the State of Montana, That the Attorney General of the State of Montana be urgently requested to forthwith take such steps and proceedings as are provided by law, to investigate and remedy the existing unfair price of gasoline; and

Be It Further Resolved, That the Speaker appoint a committee of three from this House to see to it that the wishes of the House of Representatives of the Nineteenth Legislative Assembly of the State of Montana are carried into effect: and

Be It Further Resolved, That a copy of this resolution be served upon the Attorney General of the State of Montana by the Sergeant-at-Arms of this House.

On motion of Keeley, resolution adopted.



## THIRD READING OF HOUSE BILLS

Senate amendments to House Bill No. 95 were concurred in by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Castles, Clarke, Cusick, Davis, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Flachsenhar, Fletcher, Fox, Gordon, Graybill, Green, Hanson, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Loble, Masters, Merritt, Miller, Moriarity, Morris, Moss, Moulton, Mulholland, Murphy, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Peterson, Plank, Plumer, Reed, Rice, Ruffcorn, Rupert, Sales, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Tinsley, Troy, Waite, Walker, Walton, Wold, Woods, Wuerthner, Zeh, Mr. Speaker. Total—86.

Noes: Fitzgerald. Total—1.

Absent and not voting: Bergstrom, Caplis, Dellwo, Flynn, Hardcastle, Harris, Joffray, Lemmon, Meagher, McAfee, McCarty, Peat, Ryder, Schoening, White. Total—15.

There being no objections, House reverted to Order of Business No. 4:

## REPORTS OF STANDING COMMITTEES

The following reports were received from Standing Committees:

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration Senate Substitute for Senate Bill No. 2, respectfully report as follows:

That said Senate Substitute for Senate Bill No. 2 be amended as follows:

1. Amend the title by striking out of line 4 thereof the words "Cities, Towns and" and by inserting in line 5, after the word "counties" the words "and certain cities;" by inserting after the figures "230" in the last line the word "and" and by striking out of the last line the words and figures "5217 and 5218."

2. Amend Section 2 by striking out of lines 3 and 4 the words "and towns" and inserting in lieu thereof the words: "except cities of the third class having a population of less than fifteen hundred according to the United States Government census."

3. Amend Section 2 by striking out of line 11 the words "or town;" by striking out of line 12 the words "or town;" by striking out of line 13 the words "or town;" by striking out of lines 13 and 14 the words "or town;" by striking out of line 14 the words "or town."

4. Amend Section 2 by striking out of line 23 the words "and town."

5. Amend Section 7 by striking out all of lines 5, 6, 7 and 8 reading as follows "(provided that employes of like salary in amount in each office, bureau, department, institution or agency may be listed by number of such employes, the amount of the salary of each, and the total amounts of their combined salaries)" and inserting in lieu thereof the following: "(provided that salaries may be set out in total amounts for each office, bureau, department, institution or agency, if a detailed schedule of such salaries and positions be attached to the budget and made a part thereof)."

6. Amend Section 9 by striking out all of lines 24 to 38 inclusive, and all of lines 39 down to and including the words "provided further."

7. Amend Section 9 by striking out that part of line 78 which begins with the words "Within ten (10) days" and by striking out all of lines 79 to 82 inclusive.

8. Amend Section 10 by striking out of line 6 the words "or of a town."

9. Amend Section 12 by striking from line 14 all thereof beginning with the words "and provided further" and by striking out all of lines 15 to 32 inclusive, and by striking out of line 33 all thereof down to and including the words "fiscal year."

10. Amend Section 13 by striking out of line 25 the words and figures "ten (10)" and inserting in lieu thereof the words and figures "thirty (30)."

11. Amend Section 14 by inserting in line 54 after the word "order" the following: "If the State Board of Equalization shall deny such application such board must enter its order in its minutes and must immediately transmit a certified copy of such order to the governing board of the municipal corporation making such application, and such governing board may, within ten (10) days after receiving such certified copy of order, appeal from the decision and order of the State Board of Equalization to the district court of the county in which the municipal corporation making such application is situated, by serving a written notice of appeal on the chairman, or acting chairman of the State Board of Equalization, and filing the same in the office of the clerk of such district court, the clerk of such district court shall, as soon as said notice of appeal is filed in his office, present the same to the judge of said court, or to one of the judges thereof if there be more than one judge of said district court, and said district judge shall thereupon make an order setting a day for hearing such appeal, which must be not less than five nor more than ten days from the date of the making of such order. A copy of such order must be published one time in a newspaper printed and published in the municipal corporation. On the hearing of such appeal all persons interested may appear and offer evidence in favor of or opposed to the making of such supplemental budget and making of such supplemental appropriation, and the court may, after hearing such evidence, make such order with regard thereto as the court may deem proper, and if the order of the court shall authorize the making of such supplemental budget and appropriation, a certified copy of such order shall be transmitted to the governing board of such municipal corporation, and such governing board may thereupon, and without further notice or hearing, adopt a supplemental budget making an appropriation for the purpose or object and to the amount authorized by said court order and such governing board may then incur liabilities or expend funds for such purpose or object, but not to exceed in the aggregate the amount specified in said court order;"

12. Amend Section 17 by striking out of line 1 the word "clerk" where the same occurs in two places, and inserting in lieu thereof, in each place, the word "treasurer."

13. Amend Section 17 by striking out all of lines 5 to 12 inclusive and by renumbering subdivisions 2, 3, 4 and 5 so that they will appear as subdivisions 1, 2, 3 and 4.

14. Amend Section 20 by striking out of line 8 the words "Warrants issued for valid" and by striking out all of lines 9, 10 and 11, and by inserting in lieu thereof the following: "An appropriation shall be made in the budget for each fiscal year for the payment of claims accruing during the immediately preceding fiscal year but not presented until after such period shall have expired, and such claims shall be paid from such appropriation."

15. Amend Section 21 by striking out of line 11 the words "by the unanimous;" by striking out all of line 12; by striking out of line 13 the words "three members or;" and by striking out of line 14 the words "when such governing board is composed of more than three members."

16. Amend Section 24 by striking out of line 2 the words "or town" in the two places where the same appear; and by striking out of line 5 the words "or town."

17. Amend Section 29 by striking out of line 16 the word "separately" and inserting in lieu thereof the word "severally;" and by striking out of

line 16 the words "in person and;" and by striking out of line 24 the words "in person and."

18. Amend Section 31 by striking out of line 6 the word "willful."

And that as so amended said bill be concurred in.

DONALDSON, Chairman.

On motion of Donaldson, report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration Senate Bill No. 134, introduced by Committee on Finance and Claims, respectfully report as follows: That said Senate Bill No. 134 be amended as follows:

Amend Section 1 by inserting in line 14 after the words "provided however," the following words: "that the limitation of five per centum of the assessed value of the property upon which taxes are levied and paid within such county shall not apply in cases where county buildings, bridges or highways are destroyed or damaged by an act of God, disaster, catastrophe, or accident, which shall be deemed an emergency and bonds may be issued and negotiated to provide for such emergency as provided in this Act not exceeding, in the aggregate, including outstanding bonded indebtedness, eight per centum of the assessed value of the property upon which taxes are levied and paid within said county, to be ascertained as hereinbefore provided; and provided further," and that said bill when so amended be concurred in.

DONALDSON, Chairman.

On motion of Donaldson, report adopted.

Mr. Speaker: We, your Committee on Public Morals, Charities and Reforms, having had under consideration Senate Bill No. 161, introduced by Pauline, Buttelman and Smith, respectfully report as follows: That Senate Bill No. 161 be amended as follows:

By striking out in Section 1, lines 8 and 9.

By amendnig Section 2, by inserting in line 5 after the first word thereof and before the semicolon, the words: "and shall not in any event exceed the sum of \$2.00 per quarter." And by striking all of line 6 after the word "council" and by striking all of line 7, and inserting in lieu thereof the words: "or city commissioners."

By amending Section 3, by striking out in line 2, the words "desire to;" and by inserting in line 2, after the word "dance" the words "outside the corporate limits of any city or town." By striking in line 2, the word "likewise," and inserting in lieu thereof the word "first." By striking in lines 3 and 4, the words "city or town." By striking in line 4, the figures "\$5.00" and inserting in lieu thereof the figures "1.00." By striking all of lines 5 and 6.

By amending Section 8 by striking all of said section.

By amending Section 9, to number it "Section 8," and by inserting in line 3, after the words "amusement, and," the words "this Act," and by adding at the end of line 4, in front of the period the following: "nor to school houses in rural districts."

And as amended said bill be concurred in.

HEDRICK, Chairman.

On motion of Hedrick, report adopted.

Mr. Speaker: We, your Commitete on Irrigation and Water Rights, having had under consideration Senate Bill No. 47, introduced by Kane, respectfully report as follows: That Senate Bill No. 47 be amended as follows:

Amend Section 4, by striking out in line 3, beginning with the word "and" after the word "sale" the remainder of the line, and all of line 4 and 5, and insert in lieu thereof the following: "Whether the price received



therefor equals the amount of delinquent taxes, assessments, penalties, interest and costs against said lands or not; provided that if such lands be offered for sale at public sale that such commissioners may reject any and all bids thereon, and provided further that no such lands shall be sold by said commissioners at private sale until the same shall have been offered for sale at public sale, and that no such lands shall be sold at private sale at a price less than the highest price bid therefor at the public sale at which such lands are offered; and provided further that if no bid is received for such lands when the same are offered for sale at public sale the said commissioners may then sell the same in such manner and for such price as in their judgment they shall deem to be for the best interests of said district."

Also amend Section 7, by inserting in line 3 and 5, in lieu of word "two" the word "three."

And the same do pass as amended.

STRANGE, Chairman.

On motion of Strange, report adopted.

### INTRODUCTION OF BILLS AND MEMORIALS

The following bill was introduced, read first and second times and referred to Committee on Constitutional Amendments:

Senate Bill No. 55, introduced by Greenup: A Bill for an Act entitled: "An Act to provide for the submission to the qualified electors of the State of Montana an amendment to Article XII of the Constitution of the State of Montana relating to revenue and taxation by adding a new section thereto providing for the levying of taxes for the purpose of insuring growing crops against loss or damage by hail."

At the request of Berryman, there being no objections, House reverted to Order of Business No. 6:

### MOTIONS AND RESOLUTIONS

Moved by Berryman, duly seconded and carried, that House reconsider its action on House Resolution No. 4, by Keeley.

Moved by Berryman, duly seconded, that House Resolution No. 4 be referred to Committee on Developments and Publicity.

Question arising on motion to refer House Resolution No. 4 to Committee on Developments and Publicity, same carried.

### CONSIDERATION OF GENERAL ORDERS

Moved by Ruffcorn, duly seconded and carried, that House now resolve itself into Committee of the Whole for Consideration of General Orders, under the rules of the previous sitting in respect to House Bill No. 452 and Senate Bill No. 37, and in respect to Senate Bill No. 136 that five minutes be allowed any member for debate with the privilege of trading of time once.

Mr. Davis in the chair.

The committee arose.

Mr. Speaker in the chair.

The Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration Bills on General Orders, respectfully report as follows: That

House Bill No. 452 be amended as follows:

Section 4, line 1. by inserting after word "each" the word "Institution," and as amended said bill do pass.

Senate Bill No. 37 be concurred in.

Senate Bill No. 136 be concurred in as amended.

DAVIS, Chairman.

Moved by Davis, duly seconded, that report be adopted.

Moved by Larsen of Sheridan, duly seconded, that Senate Bill No. 136 be segregated from the report.

Call of the House is demanded, seconded by 15 members.

On roll call Johnson of Valley was found to be the only one absent who had not been excused.

Moved by Davis, duly seconded and carried, that further action on call of the House be dispensed with.

Question arising on motion to segregate Senate Bill No. 136, roll call having been demanded, same carried by the following vote:

Ayes: Ainsworth, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Castles, Clarke, Cusick, Davis, Dellwo, Donaldson, Duncan, Eaton, Fairgrieve, Flachsenhar, Fletcher, Flynn, Gordon, Graybill, Green, Hanson, Hedrick, Higham, Holt, Holton, Larsen (Sheridan), Larson (Sheridan), Lincoln, Morris, Moss, McAfee, Parkin, Peterson, Plank, Rice, Ruffcorn, Ryder, Sales, Smith (Beaverhead), Steeves, Strange, Tinsley, Walton, White, Wold, Woods, Wuerthner. Total—48.

Noes: Akofer, Anderson, Andrus, Beadle, Campbell, Doran, Fitzgarrald, Fitzgerald, Fox, Hardcastle, Harris, Hawley, Hoffman, Joffray, Johnson (Fergus), Keeley, Kelly, Kennedy, Kinville, Leavens, Loble, Masters, Meagher, Merritt, Miller, Moriarity, Moulton, Mulholland, Murphy, McGrath, Nagle, Nelstead, Nelson, Patterson, Plumer, Reed, Rupert, Schoening, Shields, Smith (Lewis and Clark), Stoddard, Troy, Waite, Walker, Zeh. Total—45.

Absent and not voting: McCarty, Peat, Throssel. Total—3.

Paired: Caplis and Johnson (Valley), Larson (Cascade), and Lemmon.

Moved by Larsen, duly seconded, that Senate Bill No. 136 be referred to Public Morals Committee.

Question arising on motion to refer Senate Bill No. 136 to Public Morals Committee, same failed.

Moved by Holt, duly seconded, that consideration of Senate Bill No. 136 be postponed indefinitely.

Question arising on motion to postpone action on Senate Bill No. 136, same carried.

Question now arising on motion by Davis on adoption of report of Committee of the Whole, with Senate Bill No. 136 segregated therefrom, same carried.

The Committee on Enrolling reported as follows:

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled:

House Bill Nos. 327, 225, 383, 317 and 29; House Joint Memorial No. 4.  
McAFEE, Chairman.

The Committee on Engrossing reported as follows:

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed:

House Bills Nos. 449 and 450.

BERRYMAN, Chairman.

The Committee on Printing reported as follows:

Mr. Speaker: We, your Committee on Printing, beg leave to report the following bills correctly printed:

House Bills Nos. 451, 453, 454, 455, 456 and 457.

FRED W. ZEH, Chairman.

Moved by Ruffcorn, duly seconded and carried, that House adjourn until 9:30 A. M. March 3, 1925.

R. C. BRICKER, Speaker.

Attest: H. J. FAUST, Chief Clerk.

**FIFTY-EIGHTH DAY**

House of Representatives,  
Helena, Montana, March 3, 1925.

House met pursuant to adjournment at 9:30 A. M.

Mr. Speaker in the chair.

Prayer by the Chaplain.

On roll call all present except: Caplis and Lemmon, excused on account of sickness.

The Committee on Journal reported as follows:

Mr. Speaker: We, your Committee on Journal, have this day examined the Journal for the 57th Legislative day and found the same correct.

PEARL I. SMITH, Chairman.

On motion of Smith, report adopted.

The Speaker gave notice to the House that he was about to sign Senate Bill No. 139 and thereupon signed the same.

**MOTIONS AND RESOLUTIONS**

Moved by Rice, duly seconded and carried, that House Bill No. 299 be placed at the head of list of General Orders.

**CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE**

Moved by Larsen of Sheridan, duly seconded and carried, that messages from Senate be considered read at length and the Journal so show.

The following messages were received from the Senate:

Helena, Montana, March 2, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee of the Whole, having had under consideration Business on General File, report as follows:

That House Bill No. 194 be amended as follows:

Amend Section 1 by adding at the end of the section the following: "Such withdrawal petitions shall be filed with the Secretary of State within fifteen days after the last day upon which the initiative and referendum petitions may be filed," and as amended, it be concurred in.

That House Bill No. 35 be amended as follows:

Amend the title of the bill by striking out the words "Secretary of State" and inserting in lieu thereof the words "Registrar of Motor Vehicles."

Also amend Section 17 by striking out all of said section and inserting the following to be numbered Section 17: The Registrar of Motor Vehicles is hereby given power to appoint and pay from the fund hereinafter designated as the "Auto Theft Fund" one deputy in addition to the present peace officers of the law to carry out the provisions of this Act and he, together with the present peace officers are hereby given police power and authority throughout the State to arrest any person in the act of violating or attempting to violate in his presence any of the provisions of this Act and are hereby made peace officers of this State for that purpose. Any peace officer of this State shall have the authority and is hereby required to use reasonable diligence in ascertaining whether the owners and operators of motor vehicles are complying with the provisions of this Act.

Amend Section 18 by striking out in line 9 all after the word "instance" and inserting in lieu thereof the following "out of the general fund in the State Treasury and as soon as sufficient funds are available from the fees and collections provided for in this Act, the said general fund in the State



Treasury shall be reimbursed for the amount so paid," and that further consideration be passed for the day.

That Substitute for House Bill No. 139 be amended by striking out the enacting clause.

That House Bill No. 330 be amended as follows:

Amend Section 5 by striking out in line 1 the word "fifteen" and inserting in lieu thereof the word "forty."

Strike out all of line 7 after the word "state" and all of lines 8 and 9 and the word "Fund" in line 10. Also strike out the word "twenty-five" and insert the word "Sixty." Also strike out the word "highways" in the last line of the section and insert the words "roads and highways."

Amend Section 1 by striking out in line 5 the words "three" and inserting in lieu thereof the words "two,"

Amend Section 2 by striking out in line 6 the words "three" and inserting in lieu thereof the word "two," and, as amended, it be concurred in.

That House Bill No. 331 be concurred in.

That House Bill No. 242 be amended as follows:

Amend Section 1 by adding after the word purchased in line 22 the words "This Act shall in no way effect any person, firm, co-partnership or corporation with a commercial rating and who maintain a permanent place of business in the State of Montana," and, as amended, it be concurred in.

That House Bill No. 318 be amended by striking out the enacting clause.

That House Joint Resolution No. 2 be amended as follows:

By striking out after the word "mines" all of lines 17 and 18, and, as amended, it be concurred in.

That House Bill No. 369 be amended by striking out the enacting clause.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, March 2, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 194 was this day read third time and concurred in as amended, title agreed to, and is herewith transmitted to the House for concurrence in Senate amendments.

Amend Section 1 by adding at the end of the Section the following: "Such withdrawal petitions shall be filed with the Secretary of State within fifteen days after the last day upon which the initiative or referendum petitions may be filed."

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, March 2, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Joint Resolution No. 2 was this day read third time and concurred in, title agreed to, and same is herewith transmitted to the House for concurrence in Senate amendments.

Amend by striking out after the word "mines" all of lines 17 and 18.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, March 2, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 242 was this day read third time and concurred in as amended, title agreed to, and is herewith transmitted to the House for concurrence in Senate amendments.

Amend Section 1, of the original bill, by striking out lines 2 and 3 from Section 1, and inserting in lieu thereof the following: "Business of retailing to consumers on the streets or by going from residence to residence and there soliciting, selling or offering to sell, or."

Amend section 1 by adding after the word purchased in line 22 the words "This Act shall in no way affect any person, firm, co-partnership or corporation with a commercial rating and who maintain a permanent place of business in the State of Montana."

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, March 2, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 330 was this day read third time and concurred in as amended, title agreed to, and is herewith transmitted to the House for concurrence in Senate amendments.

Amend Section 1 by striking out in line 5 the word "three" and inserting in lieu thereof the word "two."

Amend Section 2 by striking out in line 6 the word "three" and inserting in lieu thereof the word "two."

Amend Section 5 by striking out in line 1 the word "fifteen" and inserting in lieu thereof the word "forty."

Strike out all of line 7 after the word "state" and all of lines 8 and 9 and the word "fund" in line 10. Also strike out the word "twenty-five" and insert the word "Sixty." Also strike out the word "highways" in the last line of the section and insert the words "Roads and highways."

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, March 2, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 385 was this day read third time and concurred in as amended, title agreed to, and is herewith transmitted to the House for concurrence in Senate amendments.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, March 2, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee of the Whole, having had under consideration the following bills, report and recommend that same be not concurred in. Report adopted and bills are herewith returned to the House.

House Bill No. 369, by Committee on Railroads and Transportation.

House Bill No. 318, by Holt.

Substitute House Bill No. 139, by Committee on Railroads and Transportation.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, March 2, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following bills were this day read third time and concurred in, title agreed to, and are herewith returned to the House:

House Bill No. 396, by Committee on Livestock and Public Ranges.

House Bill No. 441, by Davis, Hanson and Besancon.

House Bill No. 439, by Davis, Hanson and Besancon.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, March 2, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Bill No. 55, introduced by Greenup, being a Constitutional amendment and having received the required two-thirds vote, was this day read third time and passed, title agreed to, and is herewith transmitted to the House for concurrence.

Respectfully,  
J. F. CONE, Secretary of Senate.

Helena, Montana, March 2, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times, title agreed to, concurred in and are herewith returned to the House:

House Bill No. 335, by Burns, by request.

House Bill No. 234, by Rice.

House Bill No. 230, by Loble.

House Bill No. 149, by Zeh.

House Bill No. 426, by Fitzgarrald (Ravalli), and Strange.

House Bill No. 423, by Stoddard, by request.

House Bill No. 420, by Campbell.

House Bill No. 392, by Harris.

House Bill No. 381, by McCarty.

House Bill No. 372, by Nelstead, by request.

House Bill No. 339, by Morris and Donaldson.

House Bill No. 328, by White, Beadle, Lincoln and Leavens.

House Bill No. 285, by Kennedy.

House Bill No. 275, by Parkin.

House Bill No. 361, by Robert Larson.

House Bill No. 314, by Holton, by request.

Substitute House Bill No. 109, by Committee on Workmen's Compensation.

House Bill No. 244, by Tinsley.

House Bill No. 431, by Fitzgarrald, by request.

House Bill No. 432, by Fitzgarrald, by request.

House Bill No. 403, by Committee on State Lands.

House Bill No. 388, by Fox.

House Bill No. 346, by Nagle and Burns.

House Bill No. 379, by Donaldson.

House Bill No. 406, by Committee on Revenue and Taxation.

House Bill No. 437, by Committee on State Lands.

House Bill No. 175, by Flynn and Andrus.

House Bill No. 209, by Committee on Development and Publicity.

House Bill No. 312, by Walton.

House Bill No. 40, by Berryman and Nelson.

Respectfully,  
J. F. CONE, Secretary of Senate.

Helena, Montana, March 2, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 37, introduced by Hanson and Brandt, having been read three several times and being a Constitutional amendment and not receiving the required two-thirds vote. same was not concurred in; also House Bill No. 342, having been read three several times and not concurred in, both are herewith returned to the House.

Respectfully,  
J. F. CONE, Secretary of Senate.



Helena, Montana, March 2, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 299 was this day read three several times and concurred in as amended, title agreed to, and bill is herewith transmitted to the House for concurrence in Senate amendments.

Amend line 7 of the printed bill by adding, after the word "deposits" the following, "provided, however, that such personal or real property is the property of the person or persons who extracted said ore or minerals, products or deposits."

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, March 2, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 357 was this day read three several times and concurred in as amended, title agreed to, and bill is herewith transmitted to the House for concurrence in Senate amendments.

Amend by striking out in line 7 of Section 1 of the printed bill the words "two per centum" and inserting in lieu thereof the words "one and one-half per cent."

Amend by striking out in line 13 of Section 2 of the printed bill the words "two per cent" and inserting in lieu thereof the words "one and one-half per cent."

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, March 2, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 380 was this day read three several times and concurred in as amended, title agreed to, and bill is herewith transmitted to the House for concurrence in Senate amendments.

Amend Section 1 by adding at the end of said section the following: "Provided, however, that this Act shall be of no force or effect until the State Board of Examiners shall first have examined the land above described, and investigated the necessity for the purchase thereof, and after such examination and investigation, aforesaid, if they shall deem it advisable to purchase the above described land, they are hereby authorized to buy the above described land on the best terms obtainable for the State of Montana in a sum not exceeding the amount above specified."

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, March 2, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 237 was this day read three several times and concurred in as amended, title agreed to, and bill is herewith transmitted to the House for concurrence in Senate amendments.

Amend House Bill No. 237 by striking out the words and figures "one thousand one hundred ninety-seven dollars and ninety-seven cents (\$1,197.97)" and inserting in lieu thereof the words and figures "five hundred and fifty dollars (\$550.00)."

Amend by striking out in line 16, Section 1 of the original bill after the word "Early," "For loss of interest on payments made by him to the State of Montana, through its State Board of Land Commissioners, as purchase price of lands sold him by the State of Montana, and."

Amend by striking out the word "said" in line 20 and inserting in lieu thereof the word "state."

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, March 2, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 320, by Shields, was this day read three several times and concurred in as amended, title agreed to, and bill is herewith transmitted to the House for concurrence in Senate amendments.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, March 2, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 338 was this day read three several times and concurred in as amended, title agreed to, and bill is herewith transmitted to the House for concurrence in Senate amendments.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, March 2, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 398, by Nagle, was this day read three several times and concurred in as amended, title agreed to and bill is herewith transmitted to the House for concurrence in Senate amendments.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, March 2, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 248 was this day read three several times and concurred in as amended, title agreed to, and bill is herewith transmitted to the House for concurrence in Senate amendments.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, March 2, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 190 was this day read three several times and concurred in as amended, title agreed to, and bill is herewith transmitted to the House for concurrence in Senate amendments.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, March 2, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 141, by Loble, was this day read three several times and concurred in as amended, title agreed to, and bill is herewith transmitted to the House for concurrence in Senate amendments.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, March 2, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 99 was this day read three several times and concurred in as amended, title agreed to, and bill is herewith transmitted to the House for concurrence in Senate amendments.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, March 2, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 253 was this day read three several times and concurred in as amended, title agreed to, and bill is herewith transmitted to the House for concurrence in Senate amendments.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, March 2, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 303 was this day read three several times and concurred in as amended, title agreed to and bill is herewith transmitted to the House for concurrence in Senate amendments.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, March 2, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 291 was this day read three several times and concurred in as amended, title agreed to, and bill is herewith transmitted to the House for concurrence in Senate amendments.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, March 2, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 229, by Loble, was this day read three several times and concurred in as amended, title agreed to, and the bill is herewith transmitted to the House for concurrence in Senate amendments.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, March 2, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 169 by McAfee, was this day read three several times and concurred in as amended, title agreed to, and the bill is herewith transmitted to the House for concurrence in Senate amendments.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, March 2, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 163, by Committee on Judiciary, was this day read three several times and concurred in as amended, title agreed to, and the bill is herewith transmitted to the House for concurrence in Senate amendments.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, March 2, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 277 was this day read three several times and concurred in as amended, title agreed to, and bill is herewith transmitted to the House for concurrence in Senate amendments.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, March 2, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 395, by Committee on Education, was this day read three several times and concurred in as amended, title agreed to and bill is herewith transmitted to the House for concurrence in Senate amendments.

Amend in Section 1 by inserting after the word "established" in line 1 the following "subject to the approval of the State Board of Education."

Amend in Section 7 by adding the following at the end of the section "provided that any action taken by said commission above provided for shall be subject to review by the State Board of Education with the right in said board to accept or reject any action of said commission either in part or in toto."



Amend Section 6, line 2 of the printed bill by inserting after the word "selected" the following: "By the State Board of Education, or at its option," also in line 3 by striking out the words "the said" and inserting in lieu thereof the words "if by such" and inserting after the word "commission" the word "it;" also striking out in lines 3 and 4 the words "Normal School Presidents from" and inserting in lieu thereof the words "Heads of Educational," also in lines 5 and 6 by striking out all thereof after the words "shall be borne" and inserting in lieu thereof "by the city or town where said Normal School is located."

Amend in Section 7 by striking out in line 2 the words "July 1925" and inserting in lieu thereof the words "July 1926."

Amend Section 7 by striking out all of line 1 after the words and figures 1925" and inserting in lieu thereof the words "September, 1926."

Amend Section 7 by striking out all of line 1 after the words and figures "Section 7" and all of line 2 ending with the word and figures "July 1925" and inserting in lieu thereof the following: "The State Board of Education, at its regular quarterly meeting in July 1926, shall decide whether the designation of the said Normal School shall be made by the State Board of Education or by the Normal School Commission. If by such commission, the State Board of Education shall at said meeting, select the Normal School Commission. The State Board of Education or." Amend Section 7 by striking out in line 5 the words "thirty days" and inserting in lieu thereof the words "six months."

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, March 2, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 436 was this day read three several times and concurred in as amended, title agreed to, and bill is herewith transmitted to the House for concurrence in Senate amendments.

Amend Section 1 by striking out all of Section 1 after the word "Montana" in line 11 of the original bill and inserting in lieu thereof the following: "That said committee shall consist of the State Auditor of the State of Montana, the State Accountant of the State of Montana, and the State Examiner of the State of Montana, all of whom shall be ex-officio members of the said commission."

Amend by striking out all of Section 2.

Amend Section 3 by striking out the words "first appointed" in the first line of Section 3 and striking out all of Section 3 after the word "chairman" in line 4.

That Section 6 and 7 be stricken out and that the Secretary be authorized to renumber the sections according.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, March 2, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 219, by Beadle and Burns, was this day read three several times and concurred in as amended, title agreed to, and bill is herewith transmitted to the House for concurrence in Senate amendments.

Amend title by striking out figures 3169, striking comma between figures 3166 and 3167 and placing "and" before figures 3167 in place of comma removed between figures 3166 and 3167.

Amend by striking out Section 9 of said bill and by renumbering Sections 10 and 11 so as to read Sections 9 and 10.

Respectfully,

J. F. CONE, Secretary of Senate.

## REPORTS OF SELECT COMMITTEES

The following report was received from Conference Committee on Senate amendments to House Bill No. 228:

Mr. Speaker: We, your Conference Committee, appointed to confer with like committee of the House, on House Bill No. 228, being: A Bill for an act entitled: "An Act to amend Section 6109-d of Chapter 13 of Part III of the Civil Code of the Revised Codes of Montana of 1921, as enacted and added to said Chapter 13 by Chapter 90 of the Laws of the Eighteenth Legislative Assembly, relating to the assessment of the capital stock of banks to make good their impairment", beg leave to report and recommend that the Senate recede from all Senate amendments.

J. W. SCHNITZLER,  
J. D. GARBER,  
W. L. STAGG,  
W. R. FLACHSENHAR,  
ROBERT LEAVENS.  
RAYMOND T. NAGLE.

Report of Conference Committee on Senate amendments to House Bill No. 228 was adopted by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Castles, Clarke, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Fox, Gordon, Graybill, Green, Hanson, Harris, Hawley, Hoffman, Holton, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kennedy, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Masters, Meagher, Merritt, Miller, Moriarity, Morris, Moss, Moulton, Mulholland, Murphy, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Reed, Ruffcorn, Rupert, Sales, Shields, Smith (Beaverhead), Steeves, Strange, Throssel, Tinsley, Troy, Walker, Walton, White, Woods, Wuerthner, Zeh, Mr. Speaker. Total—80.

Noes: None.

Absent and not voting: Cusick, Davis, Campbell, Caplis, Flynn, Hardcastle, Hedrick, Higham, Holt, Joffray, Kinville, Lemmon, Loble, McAfee, McCarty, Rice, Ryder, Schoening, Smith (Lewis and Clark), Stoddard, Waite, Wold. Total—22.

There being no objections, House reverted to Order of Business No. 4:

## REPORTS OF STANDING COMMITTEES

The following reports were received from Standing Committees:

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 89, introduced by Peterson, respectfully report as follows: That Senate Bill No. 89 be not concurred in.

EATON, Chairman.

Moved by Eaton, duly seconded, that report be adopted.

Moved by Holton, as substitute motion, duly seconded, that Senate Bill No. 89 be placed on General Orders.

Question arising on substitute motion, same carried.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 91, introduced by Linn, respectfully report as follows: That Senate Bill No. 91 be amended as follows:

By striking out the word "conveniently" in lines 22 and 23 of Section 1, Page 1.

And as amended said bill be concurred in.

BURNS, Chairman.

On motion of Burns, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 42, introduced by Dell, respectfully report as follows: That Senate Bill No. 42 be not concurred in.

BURNS, Chariman.

Moved by Burns, duly seconded, that report be adopted.

Moved by Plank, as substitute motion, duly seconded, that Senate Bill No. 42 be placed on General Orders.

Question arising on substitute motion, same carried.

### THIRD READING OF SENATE BILLS

Senate Bill No. 37, introduced by Watson, having been read three several times, failed to be concurred in by the House by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Besancon, Budas, Cusick, Dellwo, Doran, Fitzgerald, Fletcher, Flynn, Fox, Harris, Higham, Hoffman, Joffray, Kelly, Kinville, Larsen (Sheridan), Larson (Sheridan), Lincoln, Loble, Meagher, Moriarity, Mulholland, Murphy, McGrath, Nagle, Plank, Plumer, Shields, Steeves, Stoddard, Troy, Tinsley, Zeh. Total—39.

Noes: Berryman, Brandt, Burns, Castles, Clarke, Davis, Donaldson, Duncan, Eaton, Fairgrieve, Fitzgarrald, Flachsenhar, Gordon, Graybill, Green, Hanson, Hawley, Hedrick, Holton, Johnson (Fergus), Johnson (Valley), Keeley, Kennedy, Leavens, Masters, Merritt, Miller, Morris, Moss, Moulton, McAfee, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Reed, Rice, Ruffcorn, Rupert, Ryder, Sales, Smith (Beaverhead), Strange, Throssel, Walker, Walton, White, Wold, Woods, Mr. Speaker. Total—52.

Absent and not voting: Campbell, Caplis, Hardcastle, Holt, Larson (Cascade), Lemmon, McCarty, Schoening, Smith (Lewis and Clark), Waite, Wuerthner. Total—11.

### THIRD READING OF HOUSE BILLS

House Bill No. 449, by Appropriations Committee, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Andrus, Bergstrom, Berryman, Brandt, Budas, Burns, Campbell, Castles, Clarke, Dellwo, Donaldson, Duncan, Eaton, Fairgrieve, Fitzgarrald, Flachsenhar, Flynn, Fox, Gordon, Graybill, Hanson, Harris, Hawley, Hedrick, Hoffman, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Kennedy, Larsen (Sheridan), Larson (Sheridan), Leavens, Masters, Merritt, Parkin, Morris, Moss, McAfee, McGrath, Nelson, Nelstead, Peat, Reed, Rice, Ruffcorn, Rupert, Ryder, Sales, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Strange, Throssel, Troy, Waite, Walker, Walton, White, Wold, Woods, Wuerthner, Zeh, Mr. Speaker. Total—65.

Noes: Akofer, Anderson, Beadle, Besancon, Cusick, Doran, Fitzgerald, Fletcher, Green, Higham, Keeley, Kelly, Kinville, Lincoln, Loble, Meagher, Miller, Moriarity, Murphy, Patterson, Peterson, Plank, Plumer, Steeves, Stoddard, Tinsley. Total—26.

Absent and not voting: Caplis, Davis, Hardcastle, Holt, Larson (Cascade), Lemmon, Moulton, Mulholland, McCarty, Schoening. Total—10.

Present and not voting: Nagle. Total—1.

House Bill No. 450, by Appropriations Committee, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Andrus, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Castles, Clarke, Davis, Donaldson, Duncan, Eaton, Fair-



grieve, Fitzgarrald, Flachsenhar, Flynn, Fox, Graybill, Green, Hanson, Harris, Hawley, Hedrick, Higham, Hoffman, Holton, Joffray, Johnson (Fergus), Keeley, Kennedy, Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Masters, Meagher, Merritt, Morris, Moss, Moulton, McAfee, Nelson, Nelstead, Parkin, Patterson, Peat, Plank, Plumer, Reed, Rice, Ruffcorn, Rupert, Ryder, Sales, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Strange, Throssel, Troy, Waite, Walker, Walton, White, Wold, Woods, Wuerthner, Mr. Speaker. Total—71.

Noes: Akofer, Anderson, Beadle, Bergstrom, Cusick, Dellwo, Doran, Fitzgerald, Fletcher, Kelly, Kinville, Miller, Moriarity, Mulholland, Murphy, McGrath, Peterson, Stoddard, Tinsley. Total—19.

Absent and not voting: Caplis, Gordon, Hardcastle, Holt, Johnson (Valley), Larson (Cascade), Lemmon, Loble, McCarty, Schoening, Zeh. Total—11.

Present and not voting: Nagle. Total—1.

The Speaker gave notice to the House that he was about to sign House Joint Memorial No. 4 and House Bills Nos. 29, 317, 383, 225, 327, and thereupon signed the same respectively.

There being no objections, House reverted to Order of Business No. 6:

### MOTIONS AND RESOLUTIONS

Moved by Wold, duly seconded and carried, that House Bills Nos. 447 and 452 be considered correctly engrossed and placed on Third Reading.

### THIRD READING OF HOUSE BILLS

House Bill No. 447, by Appropriations Committee, having been read three several times, title and history agreed to, failed to pass by the following vote:

Ayes: Ainsworth, Andrus, Besancon, Budas, Campbell, Cusick, Donaldson, Fitzgerald, Flynn, Hawley, Hedrick, Higham, Hoffman, Joffray, Keeley, Kennedy, Kinville, Larson (Cascade), Larson (Sheridan), Meagher, Merritt, Morris, Moulton, McCarty, Peat, Ruffcorn, Rupert, Schoening, Steeves, Troy, White, Mr. Speaker. Total—32.

Noes: Akofer, Anderson, Beadle, Berryman, Brandt, Burns, Castles, Clarke, Davis, Dellwo, Duncan, Eaton, Fairgrieve, Fitzgarrald, Flachsenhar, Fletcher, Fox, Gordon, Graybill, Green, Hanson, Harris, Holt, Johnson (Fergus), Johnson (Valley), Kelly, A. T. Larsen (Sheridan), Leavens, Lincoln, Loble, Masters, Miller, Moriarity, Mulholland, Murphy, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Peterson, Plank, Plumer, Reed, Rice, Ryder, Sales, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Strange, Throssel, Tinsley, Walker, Walton, Woods, Wuerthner, Zeh. Total—59.

Absent and not voting: Bergstrom, Caplis, Doran, Hardcastle, Holton, Lemmon, Moss, McAfee, Stoddard, Waite, Wold. Total—11.

House Bill No. 452, by Appropriations Committee, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Castles, Clarke, Cusick, Dellwo, Donaldson, Duncan, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Flynn, Fox, Gordon, Graybill, Green, Hanson, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Loble, Masters, Meagher, Merritt, Miller, Moriarity, Morris, Moss, Moulton, Mulholland, Murphy, McCarty, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Reed, Rice, Ruffcorn, Rupert, Ryder, Sales, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves,

Strange, Throssel, Tinsley, Troy, Walker, Walton, White, Wold, Woods, Wuerthner, Zeh, Mr. Speaker. Total—93.

Noes: None.

Absent and not voting: Bergstrom, Caplis, Davis, Doran, Hardcastle, Lemmon, McAfee, Stoddard, Waite. Total—9.

### MOTIONS AND RESOLUTIONS

Moved by Flachsenhar, duly seconded and carried, that House Bill No. 448 be placed below House Bill No. 457 on list of General Orders.

### CONSIDERATION OF GENERAL ORDERS

Moved by Ruffcorn, duly seconded and carried, that House now resolve itself into Committee of the Whole for Consideration of General Orders with debate limited to five minutes to proponents or authors of bills and to three minutes to others, and that House Bill No. 353 be considered first.

Mr. Joffray in the chair.

The Committee arose.

Mr. Speaker in the chair.

The Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration bills on General Orders, respectfully report as follows:

House Bill No. 353 do pass.

House Bill No. 451 be passed for time being.

House Bill No. 453 be passed for time being.

House Bill No. 454 do pass.

House Bill No. 456 be amended as follows:

Section 1 by striking out lines 31, 32 and 33, and as so amended, House Bill No. 456 do pass.

JOFFRAY, Chairman.

On motion of Joffray, report adopted.

There being no objections, House reverted to Order of Business No. 6:

### MOTIONS AND RESOLUTIONS

Moved by Wold, duly seconded and carried, that House Bills Nos. 451 and 453 be taken from General Orders and re-referred to Appropriations Committee.

Moved by Fitzgarrald, duly seconded and carried, that House Resolution No. 4 be taken from Committee on Development and Publicity and be referred to Judiciary Committee.

The Committee on Enrolling reported as follows:

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled:

House Bills Nos. 339, 96, 328, 432, 343, 285, 244, 388, 346, 314, 184, 344, 289, 361, 189.

W. T. WAITE, Vice-Chairman.

The Speaker gave notice that he was about to sign House Bills Nos. 339, 96, 328, 432, 343, 285, 244, 388, 346, 314, 184, 344, 289, 361, 189, and thereupon signed the same.

Moved by Campbell, duly seconded and carried, that House Bill No. 353 be considered correctly engrossed and placed on Third Reading.

Moved by Holt, duly seconded and carried, that House recess until 2:00 P. M.

## AFTERNOON SESSION

House resumed at 2:00 P. M.

Mr. Speaker in the chair.

The Enrolling Committee reported as follows:

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled:

House Bills No. 426, 275 and 392.

WAITE, Vice-Chairman.

The Speaker gave notice to the House that he was about to sign House Bills, Nos. 426, 275 and 392 and thereupon signed the same.

## MOTIONS AND RESOLUTIONS

The following resolution was presented:

House Resolution No. 5, introduced by Fox and Stoddard:

Whereas, The strong hand of death has removed from the political, the social, the philanthropic and the financial world, one of Montana's most beloved citizens, the Honorable Senator William A. Clark; and

Whereas, Notwithstanding the high position which William A. Clark holds, he shall always maintain in the heart of every true American and especially in the heart of every true Montanan a high place, because through his pioneer activities, his philanthropy, and his universal generosity and good will he has repeatedly and manifestly displayed toward the State of Montana a spirit most symbolic of true Americanism and of true Westernism; and

Whereas, The annals of Montana's history record the Honorable William A. Clark as being one of its first miners in Bannock, one of its first merchants in Virginia City, and one of its first bankers in Deer Lodge; and

Whereas, William A. Clark has established a national, if not a world-wide reputation, as a patron of American art and literature; and

Whereas, The chronicles of Montana disclose that William A. Clark was not only one of the first constructive law-makers of this State, but that he was the esteemed president of our constitutional convention; and

Whereas, The State of Montana at large will deeply miss his kindly influences, and that his demise shall be most irreparably felt by the Pioneers of Montana, whose membership is so fastly decreasing, to whom he has shown a hospitality incommensurate with any wealth he may have acquired;

Therefore Be It Resolved, by the House of Representatives of the Nineteenth Legislative Assembly in Session, That we, the members of said Legislative Assembly, by this simple ritual, do hereby bow our heads in subject homage to the memory of one whose life has made possible the many heritages which we, as citizens of Montana, now possess; and be it

Further Resolved, That a copy of this resolution be spread upon the Journal of the House, and that the Chief Clerk be instructed to transmit a copy to the bereaved members of the family of the Honorable Senator William A. Clark.

On motion of Fox, resolution adopted.

There being no objections, House reverted to Order of Business No. 4:

## REPORTS OF STANDING COMMITTEES

The following report was received from Standing Committee:

Mr. Speaker: We, your Committee on Highways, having had under consideration Senate Bill No. 128, introduced by Oliver, respectfully report as follows: That Senate Bill No. 128 be reported out without recommendation and placed on General Orders.

MOSS, Chairman.

On motion of Moss, report adopted.



There being no objections, House reverted to Order of Business No. 6:

### MOTIONS AND RESOLUTIONS

Moved by Loble, duly seconded and carried, that House reconsider its action of this morning on House Bill No. 447.

Moved by Loble, duly seconded, that House Bill No. 447 be placed on Third Reading.

Moved by Wold, as substitute motion, duly seconded, that House Bill No. 447, be placed on General Orders.

Question arising on substitute motion, same carried.

### CONSIDERATION OF GENERAL ORDERS

Moved by Ruffcorn, duly seconded and carried, that House resolve itself into Committee of the Whole for Consideration of General Orders under the rules of the previous sitting, to commence with consideration of House Bill No. 457.

Mr. Davis in the chair.

The committee arose.

Mr. Speaker in the chair.

The Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration bills on General Orders, respectfully report as follows: That House Bill No. 457 do pass.

House Bill No. 448 arise and report progress.

DAVIS, Chairman.

On motion of Davis, report adopted.

There being no objections, House reverted to Order of Business No. 6:

### MOTIONS AND RESOLUTIONS

Moved by Wold, duly seconded and carried, that House reconsider its action taken in respect to the governor's veto on House Bill No. 226.

Moved by Troy, duly seconded and carried, that House reconsider its action taken in respect to the Governor's veto on House Bill No. 224.

Moved by Troy, duly seconded and carried, that House reconsider its action taken in respect to the Governor's veto on House Bill No. 247.

### CONSIDERATION OF GENERAL ORDERS

Moved by Holt, duly seconded and carried, that House resolve itself into Committee of the Whole for Consideration of General Orders under the rules of the previous sitting and that House Bill No. 448 be passed for time being.

Mr. Davis in the chair.

The committee arose.

Mr. Speaker in the chair.

The Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration bills on General Orders, respectfully report as follows: That House Bill No. 447 be amended as follows:

Section 1. By striking out in line 26 the words and figures "Three Thousand Five Hundred Dollars (\$3,500.00)" and inserting in lieu thereof the words and figures "Six Thousand Dollars (\$6,000.00)."

Section 2. By striking out in line 25 the words and figures "Three Thousand Five Hundred Dollars (\$3,500.00)" and inserting in lieu thereof

the words and figures "Six Thousand Dollars (\$6,000.00)," and that as so amended House Bill No. 447 do pass.

Senate Bill No. 182 be concurred in.

Senate Bill No. 13 be concurred in.

House Bill No. 299 Senate amendments be not concurred in and a conference committee be requested.

House Bill No. 99 Senate amendments be concurred in.

House Bill No. 141 Senate amendments be concurred in.

Substitute House Bill No. 163 Senate amendments be concurred in.

House Bill No. 169 Senate amendments be not concurred in and a conference committee be requested.

House Bill No. 190 Senate amendments be concurred in.

House Bill No. 219 Senate amendments be not concurred in and a conference committee be requested.

House Bill No. 229 Senate amendments be concurred in.

House Bill No. 237 Senate amendments be concurred in.

Substitute House Bill No. 248 Senate amendments be concurred in.

House Bill No. 253 Senate amendments be concurred in.

House Bill No. 277 Senate amendments be not concurred in and a conference committee be requested.

House Bill No. 291 Senate amendments be concurred in.

House Bill No. 303 Senate amendments be concurred in.

House Bill No. 320 Senate amendments be concurred in.

House Bill No. 338 Senate amendments be concurred in.

House Bill No. 357 Senate amendments be concurred in.

House Bill No. 380 Senate amendments be concurred in.

House Bill No. 395 Senate amendments be concurred in.

House Bill No. 398 Senate amendments be concurred in.

House Bill No. 436 Senate amendments be concurred in.

House Bill No. 194 Senate amendments be not concurred in and a conference committee be requested.

House Bill No. 242 Senate amendments be not concurred in and a conference committee be requested.

House Bill No. 330 Senate amendments be passed for time being.

House Bill No. 385 Senate amendments be passed for time being.

House Joint Resolution No. 2 Senate amendments be concurred in.

Substitute Senate Bill No. 2 be passed for time being.

Senate Bill No. 47 be amended as follows:

Section 7. By striking out in lines 2 and 4 the words "three" and inserting in lieu thereof the words "two."

And as so amended, Senate Bill No. 47 be concurred in.

DAVIS, Chairman.

Moved by Davis, duly seconded, that report be adopted.

Moved by Wold, duly seconded, that House Bill No. 436 be segregated from the report.

Question arising on motion to segregate House Bill No. 436, same carried.

Moved by Plumer, duly seconded, that Senate Bill No. 47 be segregated from the report.

Question arising on question to segregate Senate Bill No. 47, roll call having been demanded, the motion was lost by the following vote:

Ayes: Akofer, Budas, Cusick, Fairgrieve, Flynn, Fox, Hardcastle, Higham, Kennedy, Larsen (Sheridan), Lincoln, Masters, Meagher, Nagle, Plumer, Reed, Steeves. Total—17.

Noes: Ainsworth, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Burns, Campbell, Castles, Clarke, Davis, Donaldson, Duncan, Eaton, Fitzgarrald, Fitzgerald, Flachsenhar, Gordon, Graybill, Green, Hanson, Harris, Hawley, Hedrick, Hoffman, Holt, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kinville, Larson (Cascade), Larson (Sheridan), Loble, Merritt, Miller, Moriarity, Morris, Moss, Moulton, Murphy, McCarty, McGrath, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Rice, Ruffcorn, Rupert, Ryder, Sales, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Stoddard, Strange, Throssel, Troy, Waite, Walker, Walton, White, Wold, Woods, Zeh. Total—75.

Absent and not voting: Caplis, Dellwo, Doran, Fletcher, Leavens, Lemmon, Mulholland, Tinsley, Wuerthner. Total—9.

Present and not voting: McAfee—Total—1.

Question now arising on motion to adopt report, with House Bill No. 436 segregated therefrom, same carried.

Upon reconsideration of vote taken on Governor's veto on House Bill No. 224, the veto was over-ridden by the following vote:

Ayes: Ainsworth, Andrus, Berryman, Besancon, Brandt, Burns, Campbell, Castles, Clarke, Davis, Donaldson, Duncan, Eaton, Fairgrieve, Fitzgarrald, Flachsenhar, Flynn, Gordon, Graybill, Green, Hanson, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Johnson, (Fergus), Johnson (Valley), Keeley, Kennedy, Larson (Cascade), Larsen (Sheridan), Leavens, Masters, Merritt, Morris, Moss, Moulton, McAfee, Nelson, Nelstead, Parkin, Patterson, Peat, Plank, Reed, Rice, Ruffcorn, Rupert, Ryder, Sales, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Strange, Throssel, Troy, Waite, Walker, Walton, White, Wold, Zeh, Mr. Speaker. Total—67.

Noes: Akofer, Anderson, Beadle, Bergstrom, Budas, Cusick, Dellwo, Doran, Fitzgerald, Fox, Hardcastle, Joffray, Kelly, Kinville, Larson (Sheridan), Lincoln, Loble, Meagher, Miller, Moriarity, Murphy, McCarty, McGrath, Nagle, Peterson, Plumer, Shields, Stoddard, Tinsley, Woods. Total—30.

Absent and not voting: Caplis, Fletcher, Lemmon, Mulholland, Wuerthner. Total—5.

Upon reconsideration of vote taken on Governor's veto on House Bill No. 226, the veto was over-ridden by the following vote:

Ayes: Ainsworth, Andrus, Berryman, Besancon, Brandt, Burns, Campbell, Castles, Clarke, Davis, Donaldson, Duncan, Eaton, Fairgrieve, Fitzgarrald, Flachsenhar, Flynn, Gordon, Graybill, Green, Hanson, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Johnson (Fergus), Johnson (Valley), Keeley, Kennedy, Larson (Cascade), Larsen (Sheridan), Leavens, Masters, Merritt, Morris, Moss, Moulton, McAfee, Nelson, Nelstead, Parkin, Patterson, Peat, Plank, Reed, Rice, Ruffcorn, Rupert, Ryder, Sales, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Strange, Throssel, Troy, Waite, Walker, Walton, White, Wold, Zeh, Mr. Speaker. Total—68.

Noes: Akofer, Anderson, Beadle, Bergstrom, Budas, Cusick, Dellwo, Doran, Fitzgerald, Fox, Hardcastle, Joffray, Kelly, Kinville, Larson (Sheridan), Lincoln, Loble, Meagher, Miller, Moriarity, Murphy, McCarty, McGrath, Nagle, Peterson, Plumer, Stoddard, Tinsley, Woods. Total—29.

Absent and not voting: Caplis, Fletcher, Lemmon, Mulholland, Wuerthner. Total—5.

Upon reconsideration of vote taken on Governor's veto on House Bill No. 247, the veto was over-ridden by the following vote:



Ayes: Ainsworth, Andrus, Berryman, Besancon, Brandt, Burns, Campbell, Castles, Clarke, Davis, Dellwo, Donaldson, Duncan, Eaton, Fairgrieve, Fitzgarrald, Flachsenhar, Flynn, Gordon, Graybill, Green, Hanson, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Johnson (Fergus), Johnson (Valley), Keeley, Kennedy, Larson (Cascade), Larsen (Sheridan), Leavens, Masters, Merritt, Morris, Moss, Moulton, McAfee, Nelson, Nelstead, Parkin, Patterson, Peat, Plank, Reed, Rice, Ruffcorn, Rupert, Ryder, Sales, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Strange, Throssel, Troy, Waite, Walker, Walton, White, Wold, Zeh, Mr. Speaker. Total—69.

Noes: Akofer, Anderson, Beadle, Bergstrom, Budas, Cusick, Doran, Fitzgerald, Fox, Harcastle, Joffray, Kelly, Kinville, Larson (Sheridan), Lincoln, Loble, Meagher, Miller, Moriarity, Murphy, McCarty, McGrath, Nagle, Peterson, Plumer, Stoddard, Tinsley, Woods. Total—28.

Absent and not voting: Caplis, Fletcher, Lemmon, Mulholland, Wuerthner. Total—5.

The Committee on Engrossing reported as follows:

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bill correctly engrossed:

House Bill No. 454.

BERRYMAN, Chairman.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed:

House Bills Nos. 447 and 452.

BERRYMAN, Chairman.

### THIRD READING OF HOUSE BILLS

House Bill No. 353, by Appropriations Committee, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Andrus, Beadle, Bergstrom, Besancon, Brandt, Burns, Campbell, Castles, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Eaton, Fitzgarrald, Fitzgerald, Flynn, Fox, Hanson, Harcastle, Harris, Hedrick, Hoffman, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kennedy, Kinville, Larsen (Sheridan), Leavens, Loble, Moss, Moulton, Murphy, McAfee, McCarty, McGrath, Nagle, Nelson, Patterson, Peat, Peterson, Plank, Reed, Ruffcorn, Rupert, Ryder, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Stoddard, Strange, Throssel, Troy, Waite, Walker, Wold, Zeh, Mr. Speaker. Total—64.

Noes: Anderson, Berryman, Budas, Duncan, Fairgrieve, Gordon, Graybill, Green, Hawley, Higham, Holt, Holton, Larson (Cascade), Larson (Sheridan), Lincoln, Masters, Meagher, Merritt, Miller, Moriarity, Morris, Nelstead, Parkin, Plumer, Rice, Sales, Schoening, Steeves, Tinsley, Walton, White, Woods. Total—32.

Absent and not voting: Caplis, Flachsenhar, Fletcher, Lemmon, Mulholland, Wuerthner. Total—6.

House Bill No. 454, by Appropriations Committee, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Castles, Clarke, Cusick, Davis, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Flynn, Gordon, Graybill, Green, Hanson, Harris, Hawley, Hedrick, Holt, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Masters, Merritt, Miller, Moriarity, Morris, Moss, Moulton, Murphy, McAfee, McGrath, Nelson, Nelstead, Parkin, Patterson, Peterson, Plank, Plumer, Reed, Rice, Rupert, Ryder, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Steeves,

Throssel, Tinsley, Waite, Walker, Walton, White, Wold, Woods, Zeh, Mr. Speaker. Total—74.

Noes: Anderson, Higham, Peat. Total—3.

Absent and not voting: Akofer, Andrus, Beadle, Caplis, Dellwo, Fletcher, Fox, Hardcastle, Hoffman, Keeley, Kelly, Kennedy, Lemmon, Loble, Meagher, Mulholland, McCarty, Nagle, Ruffcorn, Sales, Shields, Stoddard, Strange, Troy, Wuerthner. Total—25.

Moved by Holt, duly seconded and carried, that House adjourn until 9:00 A. M. March 4, 1925.

R. C. BRICKER, Speaker.

Attest: H. J. FAUST, Chief Clerk.

## FIFTY-NINTH DAY

House of Representatives,

Helena, Montana, March 4, 1925.

House met pursuant to adjournment at 9:00 A. M.

Mr. Speaker in the chair.

Prayer by the Chaplain.

On roll call all present except: Caplis and Lemmon, excused on account of sickness.

The Journal Committee reported as follows:

Mr. Speaker: We, your Committee on Journal, have this day examined the Journal for the 58th Legislative day and found the same correct.

PEARL I. SMITH, Chairman.

On motion of Smith, report adopted.

## REPORTS OF SELECT COMMITTEES

The following report was received from Conference Committee on Senate amendments to House Bill No. 50:

Helena, Montana, March 3, 1925.

Mr. President and Mr. Speaker: We, your Joint Conference Committee, appointed to consider Senate amendment to House Bill No. 50, introduced by Parkin, being: A Bill for an Act entitled: "An Act to amend Section 916 of the Revised Codes of Montana of 1921, relating to expenses of the State Entomologist," having had the same under consideration, beg leave to report and recommend as follows: That Senate amendment to said bill be amended to read:

In Section 1, line 4, after the word expenses, insert "and such salaries of necessary assistants together with such traveling expenses."

Also in Section 1, line 11, after the word and, insert "the actual traveling expenses and salary."

Also in Section 1, line 12, after the word under, insert "Section 4504 of the Revised Codes of Montana of 1921, as amended by Chapter 25 of the Laws of the Eighteenth Legislative Assembly of 1923."

Also in Section 1, lines 12 and 13, after the word under, strike out the following "This Act, together with the salary of such assistants."

C. C. CONSER,  
F. A. HAZELBAKER,  
S. H. PORTER,  
E. J. PARKIN,  
F. E. GORDON,  
CHAS. AKOFER.

The report of the Conference Committee on Senate amendments to House Bill No. 50 was adopted by the following vote:

Ayes: Ainsworth, Anderson, Beadle, Berryman, Besancon, Budas, Burns, Castles, Davis, Donaldson, Duncan, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Flynn, Fox, Gordon, Graybill, Green, Hanson, Hardcastle, Harris, Hawley, Hedrick, Higham, Hoffman, Holton, Johnson (Fergus), Johnson (Valley), Larsen (Sheridan), Larson (Sheridan), Leavens, Masters, Miller, Moriarity, Morris, Murphy, McGrath, Nelson, Nelstead, Parkin, Patterson, Peterson, Plumer, Reed, Rice, Ruffcorn, Rupert, Sales, Smith (Lewis and Clark), Smith (Beaverhead), Strange, Throssel, Tinsley, Troy, Walker, Walton, White, Wold, Wuerthner, Mr. Speaker. Total—63.

Noes: None.

Absent and not voting: Akofer, Andrus, Bergstrom, Brandt, Campbell, Caplis, Clarke, Cusick, Dellwo, Doran, Eaton, Holt, Joffray, Keeley, Kelly, Kennedy, Kinville, Larson (Cascade), Lemmon, Lincoln, Loble, Meagher, Merritt, Moss, Moulton, Mulholland, McAfee, McCarty, Nagle, Peat, Plank, Ryder, Schoening, Shields, Steeves, Stoddard, Waite, Woods, Zeh. Total—39.

### REPORTS OF STANDING COMMITTEES

The following reports were received from Standing Committees:

Mr. Speaker: We, your Committee on Constitutional Amendments, having had under consideration Senate Bill No. 55, respectfully report as follows: That Senate Bill No. 55 be concurred in.

C. F. HOLT, Chairman.

On motion of Hoffman, report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 453, by Appropriations Committee, respectfully report as follows: That same be amended as follows:

That in Section 1, line 18, of the original bill, strike out the words and figures,

Four Hundred Thousand Six Hundred Twenty-three \*  
Dollars .....\$400,623.00

and insert in lieu thereof the words and figures,

Three Hundred Seventy-five Thousand Dollars.....\$375,000.00

In line 22 strike out the words and figures,

Two Hundred Thirty-four Thousand Three Hundred  
Forty-eight Dollars .....\$234,348.00

and insert in lieu thereof the words and figures,

Two Hundred and Sixteen Thousand Dollars.....\$216,000.00

In line 29 strike out the words and figures,

Eighty-one Thousand Two Hundred Sixteen Dollars.....\$ 81,216.00  
and insert in lieu thereof the words and figures,

Seventy-eight Thousand Dollars .....\$ 78,000.00

In section 2, page 2, of the original bill, line 10, strike out the words and figures,

Four Hundred. Thousand Six Hundred Twenty-three  
Dollars .....\$400,623.00

and insert in lieu thereof the words and figures,

Three Hundred Seventy-five Thousand Dollars.....\$375,000.00

In line 13, strike out the words and figures,

Two Hundred Thirty-four Thousand Three Hundred  
Forty-eight Dollars .....\$234,348.00



and insert in lieu thereof the words and figures,

Two Hundred and Sixteen Thousand Dollars.....\$216,000.00

In line 21, strike out the words and figures,

Eighty-one Thousand Two Hundred Sixteen Dollars.....\$ 81,216.00

and insert in lieu thereof the words and figures,

Seventy-eight Thousand Dollars .....\$ 78,000.00

And as so amended do pass.

WOLD, Chairman.

On motion of Larsen of Sheridan, report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration Senate Bill No. 114, by Clark, respectfully report as follows: That said bill be concurred in.

O. M. WOLD, Chairman.

On motion of Wold, report adopted.

Mr. Speaker: We, the majority of your Committee on New Counties and Divisions, having had under consideration Senate Bill No. 86, introduced by Mears, respectfully report as follows: That said Senate Bill No. 86 be concurred in.

DELLWO,  
MORIARITY,  
WILLIAM P. FLYNN,  
R. J. WOODS,  
H. A. SCHOENING.

Mr. Speaker: We, the minority of your Committee on New Counties and Divisions, having had under consideration Senate Bill No. 86, introduced by Mears, respectfully report as follows: That said Senate Bill No. 86 be not concurred in.

PETERSON,  
CUSICK.  
WALKER.

Moved by Walker, duly seconded that minority report be adopted.

Moved by Flynn, as substitute motion, that majority report be adopted.

Question arising on substitute motion that majority report be adopted, same was lost.

Question arising on original motion that minority report be adopted, same carried.

### INTRODUCTION OF BILLS AND MEMORIALS

The following bills were introduced, read first and second times, second time at length, and referred to Appropriations Committee.

House Bill No. 458, introduced by Appropriations Committee: A Bill for an Act entitled: "An Act appropriating money for the operation and maintenance of the office of State Fire Marshal to be paid from the State Fire Marshal's fund for the period beginning July 1, 1925, to June 30th, 1927."

House Bill No. 459, by unanimous consent of the House, was introduced without previous notice.

House Bill No. 459, introduced by Appropriations Committee: A Bill for an Act entitled: "An Act appropriating money in satisfaction and settlement of the claim of James Stewart and Company for architectural services rendered and for plans and specifications furnished, under a valid contract, with the State of Montana, for the terminal grain elevator at Great Falls, Montana, and directing the State Auditor to draw his warrant therefor in settlement of said claim upon payment of said warrant."

## MOTIONS AND RESOLUTIONS

Moved by Hanson, duly seconded and carried, that House Bill No. 451 be taken from Committee on Appropriations and placed on General Orders.

## CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

Moved by Ruffcorn, duly seconded and carried, that messages from Senate be considered read at length and the Journal so show.

The following messages were received from the Senate:

Helena, Montana, March 3, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 52, by Duncan, was this day read third time and concurred in, title agreed to, and is herewith returned to the House.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, March 3, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Standing Committees this day report the following bills for non-concurrence and bills are herewith returned to the House:

House Bill No. 278, by Committee on Finance and Claims.

House Bill No. 366, by Committee on Education.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, March 3, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that further consideration of House Bill No. 331, introduced by Committee on Highways, Moss, chairman, was this day, on motion and by roll call, indefinitely postponed, and bill is herewith returned to the House.

Respectfully,

J. F. CONE, Secretary of Senate.

## CONSIDERATION OF GENERAL ORDERS

Moved by Ruffcorn, duly seconded and carried, that House now resolve itself into Committee of the Whole for Consideration of General Orders, with debate limited to five minutes to authors or proponents of bills and to three minutes to others with no trading of time.

Mr. Hedrick in the chair.

The committee arose.

Mr. Speaker in the chair.

The Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration bills on General Orders, respectfully report as follows: That

House Bill No. 330, Senate amendments be not concurred in and a conference committee be requested.

House Bill No. 385, Senate amendments be concurred in.

House Bill No. 436, Senate amendments be concurred in.

HEDRICK, Chairman.

On motion of Hedrick, report adopted.

The Committee on Enrolling reported as follows:

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled:

House Bills Nos. 431, 420, 149, 230, 437, 381 and 403.

WAITE, Vice-Chairman.

The Speaker appointed the following Conference Committee to consider Senate amendments to House Bills:

House Bill No. 169: McAfee of Flathead, White of Richland, Tinsley of Madison.

House Bill No. 194: Holt of Cascade, Fairgrieve of Carbon, Bergstrom of Fallon.

House Bill No. 219: Burns of Blaine, Nelstead of Carter, Graybill of Cascade.

House Bill No. 242: Davis of Wibaux, Hawley of Wheatland, Loble of Lewis and Clark.

House Bill No. 277: Johnson of Fergus, Flachsenhar of Prairie, Nagle of Lewis and Clark.

House Bill No. 299: Rice of Toole, Hanson of Daniels, Joffray of Jefferson.

House Bill No. 330: Wuerthner of Cascade, Green of Dawson, Peterson of Glacier.

Troy stated that he objected to the members appointed on the Conference Committee to consider House Bill No. 330.

Moved by Wold, duly seconded and carried, that Conference Committee appointed by the Speaker to consider Senate amendments to House Bill No. 330 be approved by the House.

There being no objections, House reverted to Order of Business No. 5:

#### INTRODUCTION OF BILLS AND MEMORIALS

The following bill was introduced, read first and second times, second time at length and referred to Appropriations Committee:

House Bill No. 460, introduced by Committee on Appropriations: A Bill for an Act entitled: "An Act appropriating money for the administration and other expenses of the State Highway Commission and for the maintenance and construction, supervision and inspection of state highways for the two years beginning July 1, 1925, and ending June 30, 1927."

There being no objections, House reverted to Order of Business No. 4:

#### REPORTS OF STANDING COMMITTEES

The following reports were received from Standing Committees:

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 459, introduced by Appropriations Committee by request, respectfully report as follows: That House Bill No. 459 is returned without recommendation.

O. M. WOLD, Chairman.

On motion of Wold, report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 458, by Appropriations Committee, respectfully report as follows: That House Bill No. 458 do pass.

O. M. WOLD, Chairman.

On motion of Wold, report adopted.

The Engrossing Committee reported as follows:

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed:

House Bills Nos. 457, 447, 456.

BERRYMAN, Chairman.

There being no objections, House reverted to Order of Business No. 6:



## MOTIONS AND RESOLUTIONS

Moved by Smith of Lewis and Clark, duly seconded and carried, that House Bill No. 456 be taken from Third Reading and placed on General Orders.

## CONSIDERATION OF GENERAL ORDERS

Moved by Hanson, duly seconded and carried, that House now resolve itself into Committee of the Whole for Consideration of General Orders under the rules of the previous sitting and that appropriation bills be considered first.

Mr. Davis in the chair.

The committee arose.

Mr. Speaker in the chair.

The Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration bills on General Orders, respectfully report as follows: That House Bill No. 448 be passed for time being.

House Bill No. 451 do pass.

House Bill No. 453 do pass.

House Bill No. 455 be amended as follows:

Amend Section 1, after line 19, by adding: "For the payment of claims against the bounty fund, to be paid from the bounty fund, as much as may be necessary. For the payment of estray claims, to be paid from the estray fund, as much as may be necessary.

Amend Section 2 after line 19 by adding: "For the payment of claims against the bounty fund, to be paid from the bounty fund, as much as may be necessary. For the payment of estray claims, to be paid from the estray fund, as much as may be necessary."

Amend Sections 3, 4 and 5 by striking out all of said sections.

And as so amended, House Bill No. 455 do pass.

House Bill No. 456 do pass.

DAVIS, Chairman.

On motion of Davis, report adopted.

The Speaker gave notice to the House that he was about to sign House Bills Nos. 431, 420, 149, 230, 437, 381 and 403, and thereupon signed the same.

At the request of Ruffcorn, there being no objections, House reverted to Order of Business No. 6:

## MOTIONS AND RESOLUTIONS

Moved by Ruffcorn, duly seconded and carried, that House Bills Nos. 451, 453, 455 and 456, respectively, be considered properly engrossed and placed at the head of the list of Third Reading.

Moved by Kennedy, duly seconded and carried, that Senate Bill No. 145 be taken from Committee on Fish and Game and placed at the head of the list of General Orders.

## THIRD READING OF HOUSE BILLS

House Bill No. 451, by Appropriations Committee, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Andrus, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Castles, Clarke, Cusick, Dellwo, Donaldson, Duncan, Fairgrieve, Fitzgarrauld, Flachsenhar, Flynn, Gordon, Graybill, Green,

Hanson, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Keeley, Kennedy, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Masters, Meagher, Merritt, Moriarity, Morris, Moss, Moulton, McCarty, Nagle, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Rice, Ruffcorn, Rupert, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Tinsley, Waite, Walker, Walton, White, Wold, Woods, Wuerthner, Zeh, Mr. Speaker. Total—71.

Noes: Anderson, Beadle, Doran, Fitzgerald, Kelly, Miller, Mulholland, Murphy, McGrath, Plumer. Total—10.

Absent and not voting: Campbell, Caplis, Davis, Eaton, Fletcher, Fox, Hardcastle, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Kinville, Lemmon, Lincoln, Loble, McAfee, Reed, Ryder, Sales, Shields, Troy. Total—21.

House Bill No. 453, by Appropriations Committee, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Andrus, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Castles, Clarke, Cusick, Dellwo, Donaldson, Duncan, Fairgrieve, Fitzgarrald, Flachsenhar, Flynn, Gordon, Graybill, Green, Harris, Hawley, Hedrick, Higham, Hoffman, Holton, Keeley, Kennedy, Larsen (Sheridan), Larson (Sheridan), Leavens, Masters, Meagher, Merritt, Morris, Moss, Moulton, Murphy, McAfee, McCarty, Nagle, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Reed, Rice, Ruffcorn, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Tinsley, Walker, Walton, White, Wold, Woods, Wuerthner, Zeh, Mr. Speaker. Total—67.

Noes: Akofer, Anderson, Beadle, Doran, Fitzgerald, Kelly, Miller, Moriarity, Mulholland, McGrath, Plumer. Total—11.

Absent and not voting: Campbell, Caplis, Davis, Eaton, Fletcher, Fox, Hanson, Hardcastle, Holt, Joffray, Johnson (Fergus), Johnson (Valley), Kinville, Larson (Cascade), Lemmon, Lincoln, Loble, Nelson, Rupert, Ryder, Sales, Shields, Troy, Waite. Total—24.

House Bill No. 455, by Appropriations Committee, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Castles, Cusick, Dellwo, Duncan, Eaton, Fitzgarrald, Flachsenhar, Flynn, Gordon, Graybill, Green, Hawley, Higham, Hoffman, Holton, Keeley, Larsen (Sheridan), Larson (Sheridan), Leavens, Masters, Meagher, Merritt, Morris, Moss, McAfee, Nagle, Nelson, Nelstead, Parkin, Peat, Plank, Plumer, Reed, Rice, Rupert, Schoening, Smith (Beaverhead), Steeves, Strange, Throssel, Tinsley, Walton, White, Wold, Woods, Wuerthner, Zeh, Mr. Speaker. Total—55.

Noes: Akofer, Anderson, Beadle, Clarke, Doran, Fitzgerald, Fletcher, Fox, Harris, Kelly, Kennedy, Miller, Moriarity, Mulholland, McGrath, Peterson. Total—16.

Absent and not voting: Andrus, Campbell, Caplis, Davis, Donaldson, Fairgrieve, Hanson, Hardcastle, Hedrick, Holt, Joffray, Johnson (Fergus), Johnson (Valley), Kinville, Larson (Cascade), Lemmon, Lincoln, Loble, Moulton, Murphy, McCartv, Peterson, Ruffcorn, Ryder, Sales, Shields, Smith (Lewis and Clark), Stoddard, Troy, Waite, Walker. Total—31.

House Bill No. 456, by Appropriations Committee, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Andrus, Bergstrom, Berryman, Brandt, Budas, Burns, Castles, Clarke, Cusick, Duncan, Fairgrieve, Fitzgarrald, Flachsenhar, Fletcher, Flynn, Fox, Graybill, Green, Harris, Hawley, Hedrick, Hoffman, Holton, Keeley, Kelly, Kennedy, Larsen (Sheridan), Larson (Sheridan), Leavens, Masters, Merritt, Miller, Morris, Moulton, Murphy, McAfee, McCarty, Nelson, Nelstead, Parkin, Patterson, Peat, Plank, Reed,

Rice, Ruffcorn, Rupert, Ryder, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Strange, Throssel, Tinsley, Walker, Walton, White, Wold, Woods, Wuerthner, Zeh, Holt, Mr. Speaker. Total—66.

Noes: Anderson, Beadle, Besancon, Dellwo, Fitzgerald, Mulholland, Plumer. Total—7.

Absent and not voting: Campbell, Caplis, Davis, Donaldson, Doran, Eaton, Gordon, Hanson, Hardcastle, Higham, Joffray, Johnson (Fergus), Johnson (Valley), Kinville, Larson (Cascade), Lemmon, Lincoln, Loble, Meagher, Moriarity, Moss, McGrath, Nagle, Peterson, Sales, Shields, Stoddard, Troy, Waite. Total—29.

House Bill No. 447, by Appropriations Committee, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Andrus, Bergstrom, Berryman, Besancon, Brandt, Budas, Castles, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Flynn, Fox, Gordon, Green, Hanson, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Keeley, Kennedy, Kinville, Larson (Cascade), Larson (Sheridan), Leavens, Lincoln, Merritt, Morris, Moulton, McAfee, McCarty, McGrath, Nelson, Nelstead, Parkin, Patterson, Peterson, Plank, Reed, Rice, Ruffcorn, Ryder, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Strange, Throssel, Tinsley, Walker, Walton, White, Wold, Woods, Wuerthner, Zeh, Burns, Mr. Speaker. Total—73.

Noes: Anderson, Beadle, Clarke, Kelly, Miller, Mulholland, Murphy, Plumer. Total—8.

Absent and not voting: Campbell, Caplis, Graybill, Hardcastle, Joffray, Johnson (Fergus), Johnson (Valley), Larsen (Sheridan), Lemmon, Loble, Masters, Meagher, Moriarity, Moss, Nagle, Peat, Rupert, Sales, Stoddard, Troy, Waite. Total—21.

House Bill No. 457, by Appropriations Committee, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Akofer, Andrus, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Castles, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Flachsenhar, Fletcher, Fox, Gordon, Graybill, Green, Hanson, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Kelly, Kennedy, Kinville, Larson (Cascade), Larson (Sheridan), Leavens, Lincoln, Loble, Masters, Merritt, Miller, Morris, Moss, Moulton, Murphy, McAfee, McGrath, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Reed, Rice, Ruffcorn, Rupert, Ryder, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Strange, Throssel, Tinsley, Walker, Walton, White, Wold, Woods, Wuerthner, Zeh, Mr. Speaker. Total—77.

Noes: Anderson, Beadle, Fitzgerald, Keeley, Mulholland, Nelson, Plumer. Total—7.

Absent and not voting: Ainsworth, Campbell, Caplis, Flynn, Hardcastle, Joffray, Johnson (Fergus), Johnson (Valley), Larsen (Sheridan), Lemmon, Meagher, Moriarity, McCarty, Nagle, Sales, Stoddard, Troy, Waite. Total—18.

The Speaker gave notice that he was about to sign Senate Bills Nos. 96, 60, 141. Senate Joint Resolution No. 9, Senate Joint Resolution No. 8. Senate Bill No. 123, Substitute Senate Bill No. 34, Substitute Senate Bill No. 133. Senate Bills Nos. 51, 31, 175, 178, 174, 127, 183, 184, and thereupon signed the same, respectively.

### THIRD READING OF HOUSE BILLS

Senate amendments to House Bill No. 99 were concurred in by the following vote:



Ayes: Ainsworth, Akofer, Anderson, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Castles, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fitzgerald, Flachsenhar, Fletcher, Flynn, Fox, Gordon, Graybill, Green, Hardcastle, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Keeley, Kelly, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Masters, Merritt, Miller, Morris, Moulton, Murphy, McAfee, McGrath, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Reed, Rice, Rupert, Ryder, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Throssel, Tinsley, Waite, Walker, Walton, White, Woods, Wuerthner, Zeh, Mr. Speaker. Total—77.

Noes: None.

Absent and not voting: Andrus, Campbell, Caplis, Fairgrieve, Fitzgarrald, Hanson, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Lemmon, Loble, Meagher, Moriarity, Moss, McCarty, Nagle, Ruffcorn, Sales, Shields, Steeves, Stoddard, Strange, Troy, Wold. Total—25.

Senate amendments to House Bill No. 141 were concurred in by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Brandt, Budas, Burns, Castles, Clarke, Cusick, Davis, Dellwo, Doran, Duncan, Eaton, Fairgrieve, Fitzgerald, Flachsenhar, Fletcher, Fox, Gordon, Graybill, Green, Hanson, Hardcastle, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Keeley, Kelly, Kinville Larson (Cascade), Larson (Sheridan), Leavens, Lincoln, Masters, Meagher, Merritt, Miller, Morris, Moss, Moulton, Mulholland, Murphy, McAfee, McCarty, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Reed, Rice, Ruffcorn, Rupert, Ryder, Sales, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Strange, Throssel, Tinsley, Walker, Walton, White, Wold, Woods, Zeh, Mr. Speaker. Total—82.

Noes: None.

Absent and not voting: Besancon, Campbell, Caplis, Donaldson, Fitzgarrald, Flynn, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Kennedy, Larsen (Sheridan), Lemmon, Loble, Moriarity, Shields, Stoddard, Troy, Waite, Wuerthner. Total—20.

There being no objections, House reverted to Order of Business No. 4:

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 460, by Appropriations Committee, respectfully report as follows: That House Bill No. 460 do pass.

WOLD, Chairman.

On motion of Wold, report adopted.

#### MOTIONS AND RESOLUTIONS

The following resolution was presented by the Employment Committee:

Helena, Montana, March 3, 1925.

Be It Resolved, by the House of Representatives, That H. J. Faust, Chief Clerk of the House, be employed for a period of fifteen days at Ten Dollars per day;

C. Franklin Parker, Assistant Chief Clerk of the House, be employed for a period of fifteen days at Eight Dollars per day;

G. W. Deniger, Journal Clerk of the House, be employed for a period of fifteen days at Eight Dollars per day;

Dora Billings, Assistant Journal Clerk, be employed for a period of fifteen days at Six Dollars per day;

G. W. Graff, Sergeant-at-Arms of the House, be employed for a period of fifteen days at Ten Dollars per day;

T. C. Caesar, Assistant Sergeant-at-Arms, be employed for a period of nine days at Eight Dollars per day;

Mary Moore, Margaret Wing and Bessie Johnston, be employed as stenographers and assigned to the Chief Clerk for a period of nine days at Five Dollars per day.

Helen Severtson and June Snow, stenographers, be employed for a period of nine days at Five Dollars per day;

C. H. Scherrer, Herb Barton, Albert Tovey and Henry Stenerson be employed as Janitors for a period of three days at Five Dollars per day.

To take effect at the close of the session of the Nineteenth Legislative Assembly, to clear up the affairs of the House of Representatives, in the regular session of the Nineteenth Legislative Assembly, and that the Chief Clerk of the House be authorized to certify to the State Auditor the pay roll for services rendered under the provisions of this resolution.

Respectfully submitted,

DAVIS, Chairman of the Employment Committee.

On motion of Davis, resolution was adopted.

There being no objections, House reverted to Order of Business No. 5:

### INTRODUCTION OF BILLS AND MEMORIALS

The following bill was read first and second times, second time at length, and referred to Appropriations Committee:

House Bill No. 461, introduced by Appropriations Committee: A Bill for an Act entitled: "An Act appropriating money for the purchase of certain property for the Montana Vocational School for Girls."

Moved by Kinville, duly seconded and carried, that House recess until 1:30 P. M.

### AFTERNOON SESSION

House resumed at 1:30 P. M.

Mr. Speaker in the chair.

There being no objections, House reverted to Order of Business No. 9:

### THIRD READING OF HOUSE BILLS

Senate amendments to Substitute House Bill No. 163 were concurred in by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Bergstrom, Berryman, Besancon, Budas, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Fairgrieve, Fletcher, Flynn, Fox, Gordon, Green, Hanson, Hedrick, Higham, Hoffman, Holt, Holton, Joffray, Kelly, Kennedy, Kinville, Larson (Cascade), Leavens, Lincoln, Masters, Meagher, Miller, Moriarity, Morris, Moss, Moulton, Murphy, McCarty, Nagle, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Rice, Ruffcorn, Rupert, Sales, Schoening, Smith (Beaverhead), Steeves, Strange, Tinsley, Walton, White, Woods, Wuerthner, Mr. Speaker. Total—62.

Noes: None.

Absent and not voting: Andrus, Beadle, Brandt, Burns, Campbell, Caplis, Castles, Clarke, Eaton, Fitzgarrald, Fitzgerald, Flachsenhar, Keeley, Graybill, Hardcastle, Harris, Hawley, Johnson (Fergus), Johnson (Valley), Larsen (Sheridan), Larson (Sheridan), Lemmon, Loble, Merritt, Mulholland, McAfee, McGrath, Plank, Plumer, Reed, Ryder, Shields, Smith (Lewis and Clark), Stoddard, Throssel, Troy, Waite, Walker, Wold, Zeh. Total—40.

Senate amendments to House Bill No. 190 were concurred in by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fletcher, Flynn, Gordon, Graybill, Green, Hanson, Hedrick, Higham, Hoffman, Holton, Joffray, Kelly, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Loble, Masters, Meagher, Miller, Moriarity, Moss, Morris, Moulton, McAfee, McCarty, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plumer, Ruffcorn, Sales, Schoening, Smith (Beaverhead), Steeves, Strange, Throssel, Tinsley, Walton, White, Wold, Woods, Wuerthner, Mr. Speaker. Total—69.

Noes: None.

Absent and not voting: Brandt, Budas, Burns, Campbell, Caplis, Castles, Fitzgarrald, Fitzgerald, Flachsenhar, Fox, Hardcastle, Harris, Hawley, Holt, Johnson (Fergus), Johnson (Valley), Keeley, Lemmon, Merritt, Mulholland, Murphy, Plank, Reed, Rice, Rupert, Ryder, Shields, Smith (Lewis and Clark), Stoddard, Troy, Waite, Walker, Zeh. Total—33.

Senate amendments to House Bill No. 229 were concurred in by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Bergstrom, Berryman, Besancon, Budas, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fletcher, Fox, Gordon, Graybill, Green, Hanson, Hardcastle, Hedrick, Higham, Hoffman, Holton, Joffray, Kelly, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Loble, Masters, Meagher, Miller, Moriarity, Moss, Moulton, Murphy, McAfee, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Reed, Sales, Schoening, Shields, Smith (Beaverhead), Steeves, Strange, Throssel, Tinsley, Walker, Walton, White, Wold, Woods, Wuerthner, Mr. Speaker. Total—71.

Noes: None.

Absent and not voting: Beadle, Brandt, Burns, Campbell, Caplis, Castles, Fitzgarrald, Fitzgerald, Flachsenhar, Flynn, Harris, Hawley, Holt, Johnson (Valley), Johnson (Fergus), Keeley, Lemmon, Merritt, Morris, Mulholland, McCarty, Rice, Ruffcorn, Rupert, Ryder, Smith (Lewis and Clark), Stoddard, Troy, Waite, Zeh. Total—30.

Present and not voting: Plumer. Total—1.

Senate amendments to House Bill No. 237 were concurred in by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Bergstrom, Besancon, Budas, Clarke, Cusick, Davis, Dellwo, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Fletcher, Flynn, Gordon, Graybill, Green, Hedrick, Higham, Hoffman, Holt, Holton, Joffray, Keeley, Kelly, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Masters, Meagher, Miller, Moriarity, Morris, Moulton, Murphy, McCarty, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Peterson, Plank, Plumer, Reed, Sales, Schoening, Smith (Beaverhead), Steeves, Strange, Tinsley, Walker, Walton, Wold, Woods, Wuerthner, Berryman, Mr. Speaker. Total—67.

Noes: None.

Absent and not voting: Andrus, Beadle, Brandt, Burns, Campbell, Caplis, Castles, Donaldson, Flachsenhar, Fox, Hanson, Hardcastle, Harris, Hawley, Johnson (Valley), Johnson (Fergus), Lemmon, Loble, Merritt, Moss, Mulholland, McAfee, Peat, Rice, Ruffcorn, Rupert, Ryder, Shields, Smith (Lewis and Clark), Stoddard, Throssel, Troy, Waite, White, Zeh. Total—35.

Senate amendments to House Bill No. 248 were concurred in by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Bergstrom, Berryman, Besancon, Budas, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgerald, Fletcher, Flynn, Fox, Gordon, Graybill,



Green, Hanson, Higham, Hoffman, Holton, Joffray, Keeley, Kelly, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Masters, Meagher, Miller, Moriarity, Morris, Moss, Moulton, Murphy, McAfee, McCarty, McGrath, Nagle, Nelstead, Parkin, Patterson, Peterson, Plank, Reed, Sales, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Strange, Throssel, Tinsley, Walker, Walton, Wold, Woods, Wuerthner, Mr. Speaker. Total—69.

Noes: Plumer. Total—1.

Absent and not voting: Andrus, Beadle, Brandt, Burns, Campbell, Caplis, Castles, Fitzgarrald, Flachsenhar, Hardcastle, Harris, Hawley, Hedrick, Holt, Johnson (Fergus), Johnson (Valley), Lemmon, Loble, Merritt, Mulholland, Nelson, Peat, Rice, Ruffcorn, Rupert, Ryder, Shields, Stoddard, Troy, Waite, White, Zeh. Total—32.

Senate amendments to House Bill No. 398 were concurred in by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Bergstrom, Berryman, Besancon, Budas, Burns, Castles, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgerald, Fletcher, Fox, Gordon, Graybill, Green, Hanson, Hoffman, Holton, Joffray, Johnson (Fergus), Keeley, Kelly, Kinville, Kennedy, Larsen (Sheridan), Leavens, Lincoln, Masters, Meagher, Merritt, Miller, Moriarity, Moss, Moulton, Murphy, McAfee, McCarty, McGrath, Nagle, Nelstead, Parkin, Patterson, Peat, Plank, Plumer, Reed, Ruffcorn, Schoening, Smith (Beaverhead), Steeves, Throssel, Tinsley, Walker, Walton, Woods, Wuerthner, Zeh, Wold, Mr. Speaker. Total—32.

Noes: None.

Absent and not voting: Andrus, Beadle, Brandt, Campbell, Caplis, Fitzgarrald, Flachsenhar, Flynn, Hardcastle, Harris, Hawley, Hedrick, Higham, Holt, Johnson (Valley), Larson (Sheridan), Lemmon, Loble, Morris, Mulholland, Nelson, Peterson, Rice, Rupert, Ryder, Sales, Shields, Smith (Lewis and Clark), Stoddard, Strange, Troy, Waite, White. Total—33.

Present and not voting: Larson (Cascade). Total—1.

The Enrolling Committee reported as follows:

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled:

House Bills Nos. 372, 55, 109, 175, 312, 209 and House Resolution No. 5.

McAFEE, Chairman.

The Speaker gave notice to the House that he was about to sign House Bills Nos. 55, 372, Substitute House Bill No. 109, House Bills 175, 312, 209, and House Resolution No. 5, and thereupon signed the same.

Senate amendments to House Joint Resolution No. 2 were concurred in by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Berryman, Besancon, Budas, Clarke, Cusick, Dellwo, Donaldson, Doran, Duncan, Eaton, Fitzgarrald, Fitzgerald, Fletcher, Flynn, Fox, Gordon, Graybill, Green, Hardcastle, Hoffman, Johnson (Fergus), Keeley, Kelly, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Masters, Meagher, Miller, Moriarity, Morris, Moss, Moulton, Murphy, McAfee, McCarty, McGrath, Nagle, Nelstead, Parkin, Patterson, Peat, Plank, Plumer, Ruffcorn, Sales, Schoening, Smith (Beaverhead), Steeves, Throssel, Tinsley, Walker, Walton, White, Wold, Woods, Wuerthner, Zeh, Mr. Speaker. Total—66.

Noes: Reed. Total—1.

Absent and not voting: Andrus, Beadle, Bergstrom, Brandt, Burns, Campbell, Caplis, Castles, Davis, Fairgrieve, Flachsenhar, Hanson, Harris, Hawley, Hedrick, Higham, Holt, Holton, Joffray, Johnson (Valley), Lem-

mon, Loble, Merritt, Mulholland, Nelson, Peterson, Rice, Rupert, Ryder, Shields, Smith (Lewis and Clark), Stoddard, Strange, Troy, Waite. Total—35.

Senate amendments to House Bill No. 385 were concurred in by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Berryman, Budas, Clarke, Cusick, Donaldson, Doran, Duncan, Eaton, Fitzgerald, Fletcher, Fox, Gordon, Green, Hardcastle, Hoffman, Johnson (Fergus), Kelly, Kennedy, Larson (Sheridan), Larson (Cascade), Lincoln, Masters, Miller, Moriarity, Morris, Moss, Moulton, Murphy, McCarty, McGrath, Nagle, Nelstead, Parkin, Patterson, Peat, Plank, Plumer, Reed, Schoening, Sales, Smith (Beaverhead), Steeves, Stoddard, Throssel, Tinsley, Walker, Walton, White, Wold, Woods, Wuerthner, Zeh, Mr. Speaker. Total—57.

Noes: None.

Absent and not voting: Andrus, Beadle, Bergstrom, Besancon, Brandt, Burns, Campbell, Caplis, Castles, Davis, Dellwo, Fairgrieve, Fitzgarrald, Flachsenhar, Flynn, Graybill, Hanson, Harris, Hawley, Hedrick, Higham, Holt, Holton, Joffray, Johnson (Valley), Keeley, Kinville, Leavens, Lemmon, Loble, Meagher, Merritt, Mulholland, McAfee, Nelson, Peterson, Rice, Ruffcorn, Rupert, Ryder, Shields, Smith (Lewis and Clark), Strange, Troy, Waite. Total—45.

Senate amendments to House Bill No. 436 were concurred in by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Berryman, Besancon, Budas, Clarke, Cusick, Donaldson, Doran, Duncan, Fairgrieve, Fletcher, Flynn, Fox, Green, Hoffman, Holton, Kelly, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Masters, Miller, Moriarity, Morris, Moss, Moulton, Mulholland, Murphy, McCarty, McGrath, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Sales, Schoening, Smith (Beaverhead), Steeves, Stoddard, Throssel, Tinsley, Waite, Walker, Walton, White, Wold, Woods, Wuerthner, Zeh, Mr. Speaker. Total—58.

Noes: Fitzgerald, Hardcastle, Nagle, Plumer. Total—4.

Absent and not voting: Andrus, Beadle, Bergstrom, Brandt, Burns, Campbell, Caplis, Castles, Davis, Dellwo, Eaton, Fitzgarrald, Flachsenhar, Gordon, Graybill, Hanson, Harris, Hawley, Hedrick, Higham, Holt, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Lemmon, Loble, Meagher, Merritt, McAfee, Nelson, Reed, Rice, Ruffcorn, Rupert, Ryder, Shields, Smith (Lewis and Clark), Strange, Troy. Total—40.

Senate amendments to House Bill No. 253 were concurred in by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Beadle, Berryman, Besancon, Budas, Castles, Clarke, Cusick, Donaldson, Doran, Duncan, Eaton, Fitzgerald, Fletcher, Flynn, Fox, Gordon, Green, Hanson, Hardcastle, Holton, Johnson (Fergus), Kelly, Kennedy, Kinville, Larson (Sheridan), Leavens, Lincoln, Masters, Meagher, Miller, Moriarity, Morris, Moss, Moulton, Murphy, McCarty, McGrath, Nelstead, Parkin, Nagle, Patterson, Peat, Peterson, Plank, Plumer, Ruffcorn, Schoening, Smith (Beaverhead), Steeves, Stoddard, Strange, Tinsley, Walker, Walton, White, Wold, Woods, Wuerthner, Zeh, Mr. Speaker. Total—63.

Noes: None.

Absent and not voting: Andrus, Bergstrom, Brandt, Burns, Campbell, Caplis, Davis, Dellwo, Fairgrieve, Fitzgarrald, Flachsenhar, Graybill, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Joffray, Johnson (Valley), Keeley, Larson (Cascade), Larsen (Sheridan), Lemmon, Loble, Merritt, Mulholland, McAfee, Nelson, Reed, Rice, Rupert, Ryder, Sales, Shields, Smith (Lewis and Clark), Throssel, Troy, Waite. Total—39.

The Following report was received from Conference Committee on Senate amendments to House Bill No. 86:



Mr. President and Mr. Speaker: We, your Joint Conference Committee, appointed to consider the Senate amendment to House Bill No. 86, introduced by Kelly, being a bill for an Act entitled: "An Act relating to assessments made by the State Board of Equalization and repealing Sections 2134 and 2145, Revised Codes of Montana of 1921," having had the same under consideration, beg leave to report and recommend as follows:

That the Senate recede from its amendment as follows, to-wit:

"Amend Section 5 by striking out Section 5 and renumbering Sections 6 and 7 as Sections 5 and 6."

JOHN SURVANT,  
SPEER,  
F. T. McCORMICK,  
RUFFCORN,  
HANSON,  
KELLY.

The report of the Conference Committee was adopted by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Beadle, Berryman, Besancon, Budas, Castles, Clarke, Cusick, Davis, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgerald, Fletcher, Flynn, Fox, Gordon, Green, Hanson, Harris, Hawley, Holton, Johnson (Fergus), Keeley, Kelly, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Lincoln, Loble, Masters, Miller, Moriarity, Morris, Moulton, Murphy, McCarty, McGrath, Nagle, Nelson, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Ruffcorn, Sales, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Tinsley, Walker, Walton, White, Wold, Woods, Wuerthner, Zeh, Mr. Speaker. Total—70.

Noes: None.

Absent and not voting: Andrus, Bergstrom, Brandt, Burns, Campbell, Caplis, Dellwo, Fitzgarrald, Flachsenhar, Graybill, Hardcastle, Hedrick, Higham, Hoffman, Holt, Joffray, Johnson (Valley), Leavens, Lemmon, Meagher, Merritt, Moss, Mulholland, McAfee, Nelstead, Reed, Rice, Rupert, Ryder, Shields, Troy, Waite. Total—32.

The following report was received from Conference Committee on Senate amendments to House Bill No. 308:

Helena, Montana, March 4, 1925.

To the President of the Senate and Speaker of the House: Your Conference Committee on House Bill No. 308, introduced by Loble: A Bill for an Act entitled: "An Act to amend Section 7594 of the Revised Codes of Montana, 1921, relative to the contract for sale of personal property," respectfully reports that the House concur in the Senate amendments to said House Bill No. 308.

LOBLE,  
NAGLE,  
KEELEY,  
POMEROY,  
CORRINGTON,  
GREEN.

The report of the Conference Committee on Senate amendments to House Bill No. 308 was adopted by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Beadle, Berryman, Besancon, Budas, Burns, Castles, Clarke, Cusick, Davis, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgerald, Fletcher, Fox, Gordon, Green, Harris, Hawley, Hedrick, Holt, Holton, Joffray, Keeley, Kelly, Kennedy, Kinville, Larsen (Sheridan), Larson (Sheridan), Lincoln, Loble, Masters, Meagher, Merritt, Moriarity, Morris, Mulholland, McCarty, McGrath, Nagle, Parkin, Peat, Plank, Plumer, Ruffcorn, Sales, Schoening, Smith (Lewis and Clark),



Smith (Beaverhead), Strange, Throssel, Tinsley, Walton, Wold, Woods, Wuerthner, Zeh, Mr. Speaker. Total—63.

Noes: None.

Absent and not voting: Andrus, Bergstrom, Brandt, Campbell, Caplis, Dellwo, Fitzgarrald, Flachsenhar, Flynn, Graybill, Hanson, Hardcastle, Higham, Hoffman, Johnson (Fergus), Johnson (Valley), Johnson (Cascade), Leavens, Lemmon, Miller, Moss, Moulton, Murphy, McAfee, Nelson, Nelstead, Patterson, Peterson, Reed, Rice, Rupert, Ryder, Shields, Steeves, Stoddard, Troy, Waite, Walker, White. Total—39.

Senate amendments to House Bill No. 291 were concurred in by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Bergstrom, Berryman, Besancon, Budas, Burns, Castles, Clarke, Cusick, Davis, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgerald, Fitzgarrald, Fox, Green, Hanson, Hardcastle, Harris, Hawley, Hedrick, Hoffman, Holt, Holton, Johnson (Fergus), Keeley, Kelly, Kennedy, Kinville, Larson (Cascade), Larson (Sheridan), Lincoln, Loble, Masters, Merritt, Miller, Moriarity, Moulton, Mulholland, Murphy, McGrath, Nagle, Nelson, Parkin, Peat, Peterson, Plank, Plumer, Rice, Rupert, Schoening, Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Tinsley, Walker, Walton, Wold, Woods, Wuerthner, Zeh, Mr. Speaker. Total—70.

Noes: Fletcher. Total—1.

Absent and not voting: Beadle, Brandt, Campbell, Caplis, Dellwo, Flachsenhar, Flynn, Gordon, Graybill, Higham, Joffray, Johnson (Valley), Larsen (Sheridan), Leavens, Lemmon, Meagher, Morris, Moss, McAfee, McCarty, Nelstead, Patterson, Reed, Ruffcorn, Ryder, Sales, Shields, Smith (Lewis and Clark), Troy, Waite, White. Total—31.

Senate amendments to House Bill No. 303 were concurred in by the following vote:

Ayes: Ainsworth, Anderson, Andrus, Bergstrom, Berryman, Besancon, Budas, Castles, Clarke, Cusick, Davis, Donaldson, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Fletcher, Fox, Gordon, Hanson, Hardcastle, Harris, Hawley, Hedrick, Higham, Hoffman, Holton, Johnson (Fergus), Johnson (Valley), Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Lincoln, Masters, Merritt, Miller, Moriarity, Morris, Moulton, Mulholland, McCarty, McGrath, Nagle, Nelson, Parkin, Peterson, Plank, Plumer, Rice, Ruffcorn, Rupert, Schoening, Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Tinsley, Waite, Walker, Walton, Wold, Woods, Zeh, Mr. Speaker. Total—67.

Noes: None.

Absent and not voting: Akofer, Beadle, Brandt, Burns, Campbell, Capis, Dellwo, Doran, Duncan, Flachsenhar, Flynn, Graybill, Green, Holt, Joffray, Keeley, Kelly, Leavens, Lemmon, Loble, Meagher, Moss, Murphy, McAfee, Nelstead, Patterson, Peat, Reed, Ryder, Sales, Shields, Smith (Lewis and Clark), Troy, White, Wuerthner. Total—35.

Senate amendments to House Bill No. 320 were concurred in by the following vote:

Ayes: Ainsworth, Anderson, Berryman, Besancon, Budas, Castles, Clarke, Cusick, Davis, Doran, Duncan, Eaton, Fitzgarrald, Fitzgerald, Fletcher, Flynn, Fox, Gordon, Green, Hanson, Hardcastle, Harris, Hawley, Hedrick, Higham, Holt, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Kelly, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Lincoln, Loble, Masters, Merritt, Miller, Moriarity, Morris, Moss, Moulton, Mulholland, Murphy, McCarty, McGrath, Nagle, Nelson, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Rice, Ruffcorn, Rupert, Schoening, Shields, Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Tinsley, Troy, Waite, Walker, Walton, White, Wold, Woods, Zeh, Mr. Speaker. Total—77.

Noes: None.

Absent and not voting: Akofer, Andrus, Beadle, Bergstrom, Brandt, Burns, Campbell, Caplis, Dellwo, Donaldson, Fairgrieve, Flachsenhar, Graybill, Hoffman, Keeley, Leavens, Lemmon, Meagher, McAfee, Nelstead, Reed, Ryder, Sales, Smith (Lewis and Clark), Wuerthner. Total—25.

Senate amendments to House Bill No. 338 were concurred in by the following vote:

Ayes: Ainsworth, Anderson, Andrus, Beadle, Berryman, Besancon, Budas, Castles, Clarke, Cusick, Dellwo, Donaldson, Duncan, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Fletcher, Flynn, Fox, Gordon, Green, Hanson, Hardcastle, Harris, Hawley, Hedrick, Higham, Holton, Joffray, Johnson (Fergus), Keeley, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Lincoln, Loble, Masters, Merritt, Miller, Moriarity, Morris, Moss, Moulton, Mulholland, Murphy, McCarty, McGrath, Nagle, Nelson, Parkin, Peat, Peterson, Plank, Plumer, Ryder, Sales, Schoening, Shields, Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Tinsley, Troy, Waite, Walker, Walton, White, Wold, Woods, Zeh, Mr. Speaker. Total—76.

Noes: None.

Absent and not voting: Akofer, Bergstrom, Brandt, Burns, Campbell, Caplis, Davis, Doran, Flachsenhar, Graybill, Hoffman, Holt, Johnson (Valley), Kelly, Leavens, Lemmon, Meagher, McAfee, Nelstead, Patterson, Reed, Rice, Ruffcorn, Rupert, Smith (Lewis and Clark), Wuerthner. Total—26.

Senate amendments to House Bill No. 357 were concurred in by the following vote:

Ayes: Ainsworth, Anderson, Beadle, Bergstrom, Berryman, Besancon, Budas, Castles, Clarke, Cusick, Davis, Dellwo, Duncan, Eaton, Fitzgarrald, Fitzgerald, Fletcher, Flynn, Gordon, Green, Hanson, Harris, Hawley, Hedrick, Higham, Holt, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kennedy, Kinville, Larsen (Sheridan), Larson (Sheridan), Leavens, Loble, Masters, Miller, Moriarity, Morris, Moss, Moulton, Mulholland, Murphy, McCarty, McGrath, Nagle, Nelson, Parkin, Patterson, Peat, Peterson, Plumer, Rice, Ryder, Schoening, Steeves, Stoddard, Throssel, Tinsley, Waite, Walker, Walton, White, Wold, Woods, Zeh, Mr. Speaker. Total—69.

Noes: None.

Absent and not voting: Akofer, Andrus, Brandt, Burns, Campbell, Caplis, Donaldson, Doran, Fairgrieve, Flachsenhar, Fox, Graybill, Hardcastle, Hoffman, Kelly, Larson (Cascade), Lemmon, Lincoln, Meagher, Merritt, McAfee, Nelstead, Plank, Reed, Ruffcorn, Rupert, Sales, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Strange, Troy, Wuerthner. Total—33.

Senate amendments to House Bill No. 380 were concurred in by the following vote:

Ayes: Ainsworth, Anderson, Beadle, Bergstrom, Berryman, Besancon, Burns, Castles, Clark, Cusick, Davis, Dellwo, Duncan, Eaton, Fairgrieve, Fitzgerald, Flynn, Fox, Gordon, Green, Hanson, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Joffray, Johnson (Valley), Keeley, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Loble, Masters, Merritt, Miller, Moriarity, Moss, Moulton, Mulholland, Murphy, McCarty, McGrath, Nagle, Nelson, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Reed, Rice, Ruffcorn, Ryder, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Strange, Throssel, Tinsley, Waite, Walker, Walton, White, Wold, Woods, Zeh, Mr. Speaker. Total—77.

Noes: None.

Absent and not voting: Akofer, Andrus, Brandt, Budas, Campbell, Caplis, Donaldson, Doran, Fitzgarrald, Flachsenhar, Fletcher, Graybill,



Hardcastle, Johnson (Fergus), Kelly, Lemmon, Meagher, Morris, McAfee, Nelstead, Rupert, Sales, Stoddard, Troy, Wuerthner. Total—25.

Senate amendments to House Bill No. 395 were concurred in by the following vote:

Ayes: Ainsworth, Anderson, Beadle, Bergstrom, Berryman, Besancon, Castles, Clarke, Davis, Dellwo, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Flynn, Gordon, Green, Hanson, Harris, Hawley, Hedrick, Higham, Hoffman, Holton, Joffray, Johnson (Valley), Keeley, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Loble, Masters, Merritt, Miller, Moriarity, Morris, Moss, Moulton, Mulholland, McAfee, McCarty, McGrath, Nagle, Nelstead, Parkin, Patterson, Peterson, Plank, Reed, Sales, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Strange, Throssel, Tinsley, Walker, Walton, White, Wold, Woods, Mr. Speaker. Total—69.

Noes: None.

Absent and not voting: Akofer, Andrus, Brandt, Budas, Burns, Campbell, Caplis, Cusick, Donaldson, Flachsenhar, Fletcher, Fox, Graybill, Hardcastle, Holt, Johnson (Fergus), Kelly, Kennedy, Lemmon, Meagher, Murphy, Nelson, Peat, Plumer, Rice, Rupert, Ryder, Steeves, Stoddard, Troy, Waite, Wuerthner, Zeh. Total—33.

The Speaker gave notice to the House that he was about to sign Senate Bill No. 160 and thereupon signed the same.

Senate Bill No. 13, by Dowlin, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Burns, Castles, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Fletcher, Flynn, Fox, Gordon, Green, Hanson, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Joffray, Johnson (Valley), Keeley, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Loble, Masters, Merritt, Miller, Moriarity, Moss, Moulton, Mulholland, McAfee, McCarty, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Rice, Ruffcorn, Rupert, Sales, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Strange, Throssel, Tinsley, Troy, Walker, Walton, White, Wold, Woods, Zeh, Mr. Speaker. Total—82.

Noes: Plumer. Total—1.

Absent and not voting: Brandt, Budas, Campbell, Caplis, Flachsenhar, Graybill, Hardcastle, Johnson (Fergus), Kelly, Lemmon, Lincoln, Meagher, Morris, Murphy, Reed, Ryder, Stoddard, Waite, Wuerthner. Total—19.

Senate Bill No. 47, by Kane, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Ainsworth, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Burns, Castles, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fitzgarrald, Fitzgerald, Fletcher, Flynn, Fox, Gordon, Graybill, Green, Hanson, Hardcastle, Harris, Hawley, Hedrick, Hoffman, Holt, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Loble, Merritt, Miller, Moriarity, Morris, Moss, Mulholland, Murphy, McCarty, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Reed, Ruffcorn, Rupert, Sales, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Strange, Tinsley, Troy, Waite, Walton, Woods, Zeh, Mr. Speaker. Total—73.

Noes: Akofer, Clarke, Cusick, Higham, Masters, Meagher, Plumer, Rice, Shields, Steeves. Total—10.

Absent and not voting: Brandt, Budas, Campbell, Caplis, Fairgrieve, Flachsenhar, Kelly, Leavens, Lemmon, Lincoln, Moulton, McAfee, Ryder, Stoddard, Throssel, Walker, White, Wold, Wuerthner. Total—19.



Senate Bill No. 182, by Green, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Besancon, Clarke, Cusick, Davis, Dellwo, Doran, Fairgrieve, Fitzgarrald, Fitzgerald, Fletcher, Flynn, Fox, Gordon, Graybill, Green, Hanson, Hardcastle, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Joffray, Johnson (Valley), Keeley, Kelly, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Masters, Merritt, Miller, Moriarity, Morris, Moss, Mulholland, Murphy, McAfee, McGrath, Nagle, Nelson, Nestead, Parkin, Patterson, Peterson, Plank, Plumer, Ruffcorn, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Tinsley, Troy, Waite, Woods, Wuerthner, Mr. Speaker. Total—67.

Noes: Berryman, Castles, Donaldson, Duncan, Eaton, Johnson (Fergus), Moulton, Peat, Reed, Rice, Rupert, Sales, Schoening, Shields, Throssel, Walton. Total—16.

Absent and not voting: Bergstrom, Brandt, Budas, Burns, Campbell, Caplis, Flachsenhar, Lemmon, Lincoln, Loble, Meagher, McCarty, Ryder, Stoddard, Strange, Walker, White, Wold, Zeh. Total—19.

There being no objections, House reverted to Order of Business No. 7:

## CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

The following communication was received from the Senate:

Helena, Montana, March 4, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that, on motion duly made and seconded, the Senate requests the recall of House Bill No. 278, by Loble, A. T. Larsen and others, for further consideration.

Respectfully,

J. F. CONE, Secretary of Senate.

At the request of Flachsenhar, there being no objections, House reverted to Order of Business No. 6:

## MOTIONS AND RESOLUTIONS

Moved by Flachsenhar, duly seconded and carried, that request of Senate for House Bill No. 278 be granted.

The following resolution was received:

House Resolution No. 6, introduced by Peat:

Whereas, The amount for the support of the so-called Montana State Orphans Home requires an appropriation from the General fund of the State of \$77,000.00 and in addition \$3,082.00 to reimburse School District No. 7 of Madison County, for the education of High School pupils from said Montana State Orphans' Home;

Whereas, The report of the superintendent of the Orphans' Home shows the following astonishing condition of affairs, namely that there are two hundred and twenty-three children as follows:

Ninety-five children in the home with both parents living.

Twenty-six children in the home with mother living, father dead.

Sixty-four children in the home with father living, mother dead.

Twenty-four children in the home with mother living, father unknown.

Three children in the home with father living, mother unknown.

Only 10 children in the home with both parents dead.

One child in the home with both parents unknown—costing the State over \$400.00 each per year the past two years; and,

Whereas, This condition is largely due to the lax method of our district courts in committing children under Section 1504. The records show

on State Auditor's report of 1924 that only \$3,299.00 was total income from outside sources of the Orphans' Home;

Now Therefore Be It Resolved, That it is the sense of the House of Representatives of the State of Montana that the Attorney General take such steps as may be necessary to correct this situation in the various counties so as to better protect the General Fund of the State and to demand that the parents be compelled to pay the actual cost of maintaining such misnamed orphans; and

Be It Further Resolved, That it is the sense of the House of Representatives that the various district courts of this State also take cognizance of this situation; and,

Be It Further Resolved, That a copy of this resolution be furnished to the Attorney General for prompt action.

Moved by Castles, duly seconded and carried, that resolution be adopted.

Moved by Lincoln, duly seconded, that resolution be printed.

Question arising on motion to print resolution, same failed.

The following resolution was received:

Whereas, The fiscal year established by custom and law in the State of Montana; and the budget of distribution of the State funds of the various departments and income connected therewith, covers a period from June 30th of any given year, to July 1st of the succeeding year—which is a full period of twelve months; and

Whereas, The law requires the publication of said budget under the supervision of the State Board of Examiners;

I therefore move you that the House instruct the State Board of Examiners to mail a copy of said budget to each and every person, a member of, or elected to membership in the Legislative Assembly of the State of Montana, at least thirty days immediately prior to the first day of each and every session thereof.

HARDCASTLE.

On motion of Hardcastle, resolution adopted.

There being no objections, House reverted to Order of Business No. 4:

#### REPORTS OF STANDING COMMITTEES

The following reports were received from Standing Committees:

Mr. Speaker: We, your Committee on Constitutional Amendments, having had under consideration House Bill No. 31, introduced by Wuerthner and Loble, respectfully report as follows: That said House Bill No. 31 be reported without recommendation.

C. F. HOLT, Chairman.

Moved by Holt, duly seconded, that report be adopted.

Moved by Ruffcorn, as substitute motion, duly seconded, that House Bill No. 31 do not pass.

Moved by Morris, that motion by Ruffcorn, be laid on the table.

Question arising on motion by Morris, that motion by Ruffcorn be laid on the table, same carried.

Mr. Speaker: We, your Committee on Development and Publicity, having had under consideration Senate Joint Resolution No. 10, by Church, respectfully report as follows: That Senate Joint Resolution No. 10 be concurred in.

GORDON, Chairman.

On motion of Gordon, report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 97, introduced by Committee on Education, respectfully report as follows: That Senate Bill No. 97 be not concurred in.

EATON, Chairman.

Moved by Eaton, duly seconded, that report be adopted.

Moved by Peterson, as substitute motion, duly seconded that Senate Bill No. 97 be placed on General Orders at the head of the list.

Question arising on substitute motion, same failed.

Question now arising on original motion that report be adopted, same carried.

The Printing Committee reported as follows:

Mr. Speaker: We, your Committee on Printing, beg leave to report the following bills correctly printed:

House Bill Nos. 458, 459 and 460.

FRED W. ZEH, Chairman.

### CONSIDERATION OF GENERAL ORDERS

Moved by Ruffcorn, duly seconded and carried, that House now resolve itself into Committee of the Whole for Consideration of General Orders under the rules of the previous sitting.

Mr. Joffray in the chair.

The committee arose.

Mr. Speaker in the chair.

The Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration Bills on General Orders, respectfully report as follows: That Senate Bill No. 134 be concurred in.

Senate Bill No. 161 be amended as follows:

Section 1. By striking out all of line 7 after "cities and towns," and as so amended, Senate Bill No. 161 be concurred in.

Senate Bill No. 42 that the enacting clause be stricken out.

Senate Bill No. 89 that the enacting clause be stricken out.

Senate Bill No. 128 be concurred in.

JOFFRAY, Chairman.

Moved by Joffray, duly seconded, that report of Committee of the Whole be adopted.

Moved by Morris, duly seconded, that Senate Bill No. 128 be segregated from the report.

Question arising on motion that Senate Bill No. 128 be segregated from the report, roll call having been demanded, same was lost by the following vote:

Ayes: Burns, Castles, Clarke, Donaldson, Eaton, Fairgrieve, Gordon, Graybill, Morris, Peat, Peterson, Rice, Ryder, Smith (Lewis and Clark), Woods, Zeh. Total—16.

Noes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Budas, Cusick, Davis, Dellwo, Doran, Duncan, Fitzgerald, Fitzgerald, Flachsenhar, Fletcher, Flynn, Fox, Green, Hanson, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kennedy, Kinville, Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Masters, Meagher, Merritt, Miller, Moriarity, Moulton, Mulholland, Murphy, McAfee, McGrath, Nelson, Nelstead, Parkin, Patterson, Plank, Plumer, Reed, Ruffcorn, Rupert, Sales, Shields, Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Troy, Waite, Walker, Walton, White, Wold, Wuerthner. Total—73.



Absent and not voting: Brandt, Campbell, Caplis, Hardcastle, Larson (Cascade), Lemmon, Loble, Moss, McCarty, Nagle, Schoening, Tinsley.  
Total—12.

Question arising on original motion, same carried.

There being no objections, House reverted to Order of Business No. 6:

### MOTIONS AND RESOLUTIONS

Moved by Keeley, duly seconded, that Senate Bill No. 128 be considered properly engrossed and placed on Third Reading.

Moved by Graybill, as substitute motion, duly seconded, that motion by Keeley be laid on the table.

Question arising on substitute motion, same failed.

Question now arising on original motion, same carried.

Moved by Fairgrieve, duly seconded, that House recess until 8:00 P. M.

Question arising on motion to recess, same failed.

Moved by Keeley, duly seconded and carried, that House revert to Order of Business No. 8:

### THIRD READING OF SENATE BILLS

Senate Bill No. 128, by Oliver, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Budas, Cusick, Davis, Dellwo, Doran, Duncan, Fitzgarrauld, Fitzgerald, Flachsenhar, Fletcher, Flynn, Fox, Green, Hanson, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kennedy, Kinville, Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Masters, Meagher, Merritt, Miller, Moriarity, Moulton, Mulholland, Murphy, McGrath, Nelson, Nelstead, Parkin, Patterson, Peterson, Plank, Plumer, Reed, Ruffcorn, Rupert, Sales, Shields, Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Troy, Waite, Walker, Walton, White, Wuerthner, Mr. Speaker. Total—72.

Noes: Ainsworth, Burns, Castles, Clarke, Donaldson, Eaton, Fairgrieve, Gordon, Graybill, Morris, McAfee, Peat, Rice, Smith (Lewis and Clark), Wold, Woods, Zeh. Total—17.

Absent and not voting: Brandt, Campbell, Caplis, Hardcastle, Larson (Cascade), Lemmon, Loble, Moss, McCarty, Nagle, Ryder, Schoening, Tinsley. Total—13.

Moved by Fairgrieve, duly seconded, that House recess until 8.00 P. M.

Moved by Holt, as substitute motion, duly seconded, that House recess until 7:30 P. M.

Question arising on substitute motion, same is lost.

Question now arising on original motion, same carried.

### EVENING SESSION

House resumed at 8:00 P. M.

Mr. Speaker in the chair.

There being no objections, House reverted to Order of Business No. 6:

### MOTIONS AND RESOLUTIONS

Moved by Burns, duly seconded and carried, that House reconsider its action on Senate Bill No. 86.

Moved By Burns, duly seconded and carried, that Senate Bill No. 86 be placed on General Orders.

## CONSIDERATION OF GENERAL ORDERS

Moved by Ruffcorn, duly seconded and carried, that House resolve itself into Committee of the Whole for Consideration of General Orders, under the rules of the previous sitting, beginning with appropriation bills.

Mr. Davis in the chair.

The committee arose.

Mr. Speaker in the chair.

The Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration bills on General Orders, respectfully report as follows: That House Bill No. 448 be amended as follows:

Section 1. By striking out in line 21 the words and figures:

Five Hundred Dollars .....\$ 500.00

and inserting in lieu thereof the words and figures:

Thirty-seven Hundred and Fifty Dollars.....\$ 3,750.00

Section 1. By striking out in lines 27 and 28 the words and figures:

Five Thousand Three Hundred Dollars.....\$ 5,300.00

and inserting in lieu thereof the words and figures:

Seven Thousand Dollars .....\$ 7,000.00

Section 1. By adding the following item between lines 31 and 32:

For payment of salaries, supplies and general administrative expenses in connection with work formally done by Clerk of Consolidated Boards,

Two Thousand Dollars .....\$ 2,000.00

Section 1. By striking out in line 54:

Forty-two Thousand Dollars .....\$42,000.00

and inserting in lieu thereof the words and figures:

Forty-three Thousand Dollars .....\$43,000.00

Section 1. By striking out in line 57 the words and figures:

Fourteen Thousand Two Hundred Dollars.....\$14,200.00

and inserting in lieu thereof the words and figures:

Sixteen Thousand Dollars .....\$16,000.00

Section 1. By striking out in line 67 the words and figures:

Two Thousand Dollars .....\$ 2,000.00

and substituting in lieu thereof the words and figures:

Two Thousand Five Hundred Dollars.....\$ 2,500.00

Section 1. By striking out in line 70 the words and figures:

Twenty Thousand Dollars .....\$20,000.00

and inserting in lieu thereof the words and figures:

Twenty-six Thousand Dollars .....\$26,000.00

Section 1. By striking out in line 97 the words and figures:

Eight Thousand Eight Hundred Forty-five Dollars.....\$ 8,845.00

and inserting in lieu thereof the words and figures:

Six Thousand Five Hundred Dollars .....\$ 6,500.00

Section 1. By striking out all of lines 121, 122, and 123.

Section 1. By adding one new item of appropriation (after the line 107) as follows:

For the payment of salaries, supplies and general administrative, traveling expense of the Real Estate Dealers License Commissioner,

Three Thousand Five Hundred Dollars .....\$ 3,500.00

Section 2. By striking out in line 21 the words and figures:

Five Hundred Dollars .....\$ 500.00

and inserting in lieu thereof the words and figures:

Thirty-seven Hundred and Fifty .....\$ 3,750.00

Section 2. By striking out in lines 27 and 28 the words and figures:

Fifty-three Hundred Dollars .....\$ 5,300.00

and inserting in lieu thereof the words and figures:

Seven Thousand Dollars .....\$ 7,000.00

Section 2. By adding the following item between lines 31 and 32:

For payment of salaries, supplies and general administrative expenses in connection with work formerly done by Clerk of Consolidated Boards,

Two Thousand Dollars .....\$ 2,000.00

Section 2. By striking out in line 52 the words and figures:

Forty-two Thousand Dollars .....\$42,000.00

and inserting in lieu thereof the words and figures:

Forty-three Thousand Dollars .....\$43,000.00

Section 2. By striking out in line 57 the words and figures:

Fourteen Thousand Two Hundred Dollars .....\$14,200.00

and inserting in lieu thereof the words and figures:

Sixteen Thousand Dollars .....\$16,000.00

Section 2. By striking out in line 67 the words and figures:

Two Thousand Dollars .....\$ 2,000.00

and inserting in lieu thereof the words and figures:

Two Thousand Five Hundred Dollars .....\$ 2,500.00

Section 2. By striking out in line 70 the words and figures:

Twenty Thousand Dollars .....\$20,000.00

and inserting in lieu thereof the words and figures:

Twenty-six Thousand Dollars .....\$26,000.00

Section 2. By adding one new item of appropriation (after line 110) as follows:

For the payment of salaries, supplies and general administrative, traveling expense of the Real Estate Dealers' License Commissioner,

Three Thousand Five Hundred Dollars .....\$ 3,500.00

Section 2. By striking out all of lines 125, 126 and 127.

Section 5. By striking out in line 1 "July 1, 1925" and inserting in lieu thereof the words "its passage and approval," and as so amended House Bill No. 448 do pass.

House Bill No. 458 do pass.

House Bill No. 459 be passed for time being.

House Bill No. 460 be amended as follows:

Amend Section 1 by striking out in lines 12 and 13 the words and figures:

Ninety Thousand Dollars .....\$90,000.00

and inserting in lieu thereof the words and figures:

Seventy-five Thousand Dollars .....\$75,000.00

Section 1. By striking out in lines 10 and 11 the words and figures:

Thirty Thousand Dollars .....\$30,000.00

and inserting in lieu thereof the words and figures:

Twenty Thousand Dollars .....\$20,000.00

Section 1. By striking out in lines 7 and 8 the words and figures:

Fifty-five Thousand Dollars .....\$55,000.00

and inserting in lieu thereof the words and figures:

Fifty Thousand Dollars .....\$50,000.00

Section 2. By striking out in lines 12 and 13 the words and figures:

Ninety Thousand Dollars .....\$90,000.00

and inserting in lieu thereof the words and figures:

Seventy-five Thousand Dollars .....\$75,000.00



Section 2. By striking out in lines 10 and 11 the words and figures:  
 Thirty Thousand Dollars .....\$30,000.00  
 and inserting in lieu thereof the words and figures:  
 Twenty-thousand Dollars .....\$20,000.00  
 Section 2. By striking out in lines 7 and 8 the words and figures:  
 Fifty-five Thousand Dollars .....\$55,000.00  
 and inserting in lieu thereof the words and figures:  
 Fifty Thousand Dollars .....\$50,000.00  
 Section 5. By striking out all of Section 5, and as so amended, House  
 Bill No. 460 do pass.  
 House Bill No. 384, Senate amendments be concurred in.  
 House Bill No. 435, Senate amendments be not concurred in and a Con-  
 ference Committee be requested.

DAVIS, Chairman.

On motion of Davis, report adopted.

### UNFINISHED BUSINESS

Moved by Wold, duly seconded and carried, that House Bills Nos. 448, 458 and 460 be considered correctly engrossed and placed at the top of list of Third Reading.

There being no objections, House reverted to Order of Business No. 6:

### MOTIONS AND RESOLUTIONS

Moved by Wold, duly seconded and carried, that House Bill No. 461 be recalled from Appropriations Committee and placed on General Orders.

Moved by Kennedy, duly seconded and carried, that Senate Bill No. 145 be placed at the head of the list of General Orders.

### REPORTS OF SELECT COMMITTEES

The following report was received from Conference Committee on Senate amendments to House Bill No. 277:

Mr. Speaker: We, your Conference Committee of the House and Senate on Banks and Banking, having had under consideration Senate amendments to House Bill No. 277, introduced by Committee on Banks and Banking, respectfully report as follows: That Senate amendments to House Bill No. 277 be concurred in.

JOHNSON of Fergus,  
 FLACHSENHAR,  
 NAGLE.

The report of the Conference Committee on Senate amendments to House Bill No. 277, was adopted by the following vote:

Ayes: Akofer, Anderson, Beadle, Berryman, Besancon, Brandt, Budas, Burns, Castles, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Flynn, Fox, Gordon, Green, Hanson, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Joffray, Johnson (Valley), Keeley, Kelly, Kennedy, Kinville, Larson (Sheridan), Leavens, Lincoln, Loble, Masters, Merritt, Miller, Morris, Moss, Mulholland, Murphy, McAfee, McCarty, McGrath, Nagle, Nelson, Nelstead, Parkin, Peat, Peterson, Plank, Plumer, Reed, Rice, Ruffcorn, Rupert, Ryder, Sales, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Stoddard, Strange, Tinsley, Troy, Waite, Walker, Walton, White, Woods, Zeh, Mr. Speaker. Total—82.

Noes: None.

Absent and not voting: Ainsworth, Andrus, Bergstrom, Campbell, Caplis, Graybill, Hardcastle, Johnson (Fergus), Larson (Cascade), Larsen (Sheridan), Lemmon, Meagher, Moriarity, Moulton, Patterson, Shields, Steeves, Throssel, Wold, Wuerthner. Total—20.

The following report was received from Conference Committee on Senate amendments to House Bill No. 219:

Mr. Speaker: We, the majority of your Joint Conference Committee of the Senate and House, on House Bill No. 219, after having had the same under consideration, respectfully report as follows: That the Senate amendments be concurred in.

H. C. SMITH,  
M. M. DUNCAN,  
STEWART,  
BURNS,  
NELSTEAD.

The report of Conference Committee on Senate amendments to House Bill No. 219 was adopted by the following vote:

Ayes: Akofer, Anderson, Beadle, Besancon, Brandt, Budas, Burns, Castles, Clarke, Cusick, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Flynn, Fox, Green, Hanson, Harris, Hawley, Hedrick, Higham, Hoffman, Holton, Joffray, Johnson (Valley), Keeley, Kelly, Kennedy, Kinville, Larson (Sheridan), Leavens, Lincoln, Loble, Masters, Merritt, Miller, Morris, Moss, Mulholland, Murphy, McGrath, Nagle, Nelson, Nelstead, Parkin, Peat, Peterson, Plank, Reed, Rice, Ruffcorn, Rupert, Ryder, Sales, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Stoddard, Strange, Throssel, Tinsley, Troy, Waite, Walker, Walton, White, Wold, Woods, Zeh, Plumer, Mr. Speaker. Total—78.

Noes: None.

Absent and not voting: Ainsworth, Andrus, Bergstrom, Berryman, Campbell, Caplis, Davis, Gordon, Graybill, Hardcastle, Holt, Johnson (Fergus), Larson (Cascade), Larsen (Sheridan), Lemmon, Meagher, Moriarity, Moulton, McAfee, McCarty, Patterson, Shields, Steeves, Wuerthner. Total—24.

### THIRD READING OF HOUSE BILLS

House Bill No. 448, by Appropriations Committee, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Besancon, Brandt, Budas, Burns, Castles, Clarke, Davis, Dellwo, Donaldson, Duncan, Eaton, Fairgrieve, Fitzgarrald, Flachsenhar, Fox, Gordon, Green, Hanson, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Joffray, Johnson (Valley), Keeley, Kennedy, Kinville, Larson (Sheridan), Leavens, Loble, Masters, Merritt, Miller, Moss, Murphy, McAfee, Nagle, Nelson, Nelstead, Parkin, Peat, Peterson, Plank, Reed, Rice, Ruffcorn, Rupert, Ryder, Sales, Smith (Lewis and Clark), Strange, Throssel, Tinsley, Waite, Walker, Walton, White, Wold, Woods, Zeh, Mr. Speaker. Total—63.

Noes: Akofer, Anderson, Beadle, Berryman, Cusick, Doran, Fitzgerald, Fletcher, Kelly, Lincoln, Mulholland, McGrath, Plumer. Total—13.

Absent and not voting: Ainsworth, Andrus, Bergstrom, Campbell, Caplis, Flynn, Graybill, Hardcastle, Harris, Johnson (Fergus), Larsen (Cascade), Larsen (Sheridan), Lemmon, Meagher, Moriarity, Morris, Moulton, McCarty, Patterson, Schoening, Shields, Smith (Beaverhead), Steeves, Stoddard, Troy, Wuerthner. Total—26.

House Bill No. 458, by Appropriations Committee, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Akofer, Beadle, Berryman, Besancon, Brandt, Budas, Burns, Castles, Clarke, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Flynn, Fox, Gordon, Green, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Johnson (Valley), Keeley, Kinville, Larson (Sheridan), Leavens, Loble, Masters, Merritt,

Moss, Mulholland, Murphy, McAfee, McGrath, Nagle, Nelson, Nelstead, Parkin, Peat, Peterson, Plank, Reed, Rice, Ruffcorn, Rupert, Ryder, Sales, Smith (Lewis and Clark), Smith (Beaverhead), Stoddard, Strange, Throssel, Tinsley, Troy, Waite, Walker, Walton, White, Wold, Woods, Zeh, Mr. Speaker. Total—71.

Noes: Anderson, Cusick, Lincoln, Plumer. Total—4.

Absent and not voting: Ainsworth, Andrus, Bergstrom, Campbell, Caplis, Fairgrieve, Graybill, Hanson, Hardcastle, Joffray, Johnson (Fergus), Kelly, Kennedy, Larson (Cascade), Larsen (Sheridan), Lemmon, Meagher, Miller, Moriarity, Morris, Moulton, McCarty, Patterson, Schoening, Shields, Steeves, Wuerthner. Total—27.

There being no objections, House reverted to Order of Business No. 8:

### THIRD READING OF SENATE BILLS

Senate Bill No. 134, by Committee on Finance and Claims, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Akofer, Anderson, Beadle, Berryman, Besancon, Brandt, Budas, Burns, Castles, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Flynn, Fox, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Joffray, Johnson (Valley), Keeley, Kennedy, Kinville, Larson (Sheridan), Leavens, Lincoln, Loble, Masters, Merritt, Miller, Moss, Mulholland, Murphy, McAfee, McGrath, Nagle, Nelson, Nelstead, Parkin, Peat, Peterson, Plank, Plumer, Reed, Rice, Ruffcorn, Ryder, Sales, Smith (Lewis and Clark), Smith (Beaverhead), Strange, Throssel, Tinsley, Waite, Walker, Walton, White, Wold, Woods, Zeh, Duncan, Mr. Speaker. Total—74.

Noes: None.

Absent and not voting: Ainsworth, Andrus, Bergstrom, Campbell, Caplis, Gordon, Graybill, Green, Hanson, Hardcastle, Johnson (Fergus), Kelly, Larson (Cascade), Larsen (Sheridan), Lemmon, Meagher, Moriarity, Morris, Moulton, McCarty, Patterson, Rupert, Schoening, Shields, Steeves, Stoddard, Troy, Wuerthner. Total—28.

Senate Bill No. 161, by Pauline, et al., having been read three several times, title and history agreed to, failed to be concurred in by the following vote:

Ayes: Berryman, Burns, Castles, Cusick, Donaldson, Duncan, Eaton, Fairgrieve, Fitzgarrald, Flachsenhar, Harris, Hedrick, Holt, Kennedy, Leavens, Lincoln, Masters, Miller, Moss, Parkin, Peat, Plank, Plumer, Reed, Rice, Ruffcorn, Ryder, Sales, Smith (Lewis and Clark), Smith (Beaverhead), Strange, Throssel, Tinsley, Walton, Wold, Woods, Mr. Speaker. Total—37.

Noes: Akofer, Anderson, Beadle, Besancon, Brandt, Budas, Clarke, Davis, Dellwo, Doran, Fitzgerald, Fletcher, Flynn, Fox, Gordon, Green, Hanson, Hawley, Higham, Holton, Joffray, Johnson (Valley), Keeley, Kelly, Kinville, Larson (Sheridan), Loble, Merritt, Mulholland, Murphy, McAfee, McGrath, Nagle, Nelson, Nelstead, Peterson, Rupert, Troy, Waite, Walker, White, Zeh. Total—42.

Absent and not voting: Ainsworth, Andrus, Bergstrom, Campbell, Caplis, Hardcastle, Johnson (Fergus), Larson (Cascade), Larsen (Sheridan), Lemmon, Meagher, Moriarity, Morris, Moulton, McCarty, Patterson, Schoening, Shields, Steeves, Stoddard, Wuerthner. Total—21.

Paired: Graybill and Hoffman.

### INTRODUCTION OF BILLS AND MEMORIALS

The following bill was introduced, read first and second times, second time at length, and referred to Appropriations Committee:



House Bill No. 462, introduced by Appropriations Committee: A Bill for an Act entitled: "An Act to appropriate money for the payment of the per diem of the officers and attaches of the Nineteenth Legislative Assembly of the State of Montana."

There being no objections, House reverted to Order of Business No. 5:

### MOTIONS AND RESOLUTIONS

Moved by Wold, duly seconded and carried, that House Bill No. 462 be recalled from Appropriations Committee and placed on General Orders.

### CONSIDERATION OF GENERAL ORDERS

Moved by Wold, duly seconded and carried, that House now resolve itself into Committee of the Whole for Consideration of General Orders in respect to appropriation bills.

Mr. Moss in the chair.

The committee arose.

Mr. Speaker in the chair.

The Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration bills on General Orders, respectfully report as follows:

That House Bill No. 462 do pass.

MOSS, Chairman.

On motion of Moss, report adopted.

There being no objections, House reverted to Order of Business No. 6:

### MOTIONS AND RESOLUTIONS

Moved by Loble, duly seconded and carried, that House Bill No. 462 be considered correctly engrossed and placed on Third Reading.

### THIRD READING OF HOUSE BILLS

House Bill No. 462, by Appropriations Committee, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Akofer, Anderson, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Castles, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Flynn, Fox, Green, Hanson, Harris, Hawley, Higham, Holton, Joffray, Johnson (Valley), Keeley, Kelly, Kennedy, Larson (Sheridan), Leavens, Lincoln, Loble, Masters, Merritt, Miller, Moss, Mulholland, Murphy, McAfee, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Reed, Rice, Ruffcorn, Rupert, Ryder, Sales, Smith (Beaverhead), Stoddard, Strange, Throssel, Tinsley, Troy, Waite, Walker, Walton, White, Wold, Woods, Zeh, Clarke, Mr. Speaker. Total—77.

Noes: Gordon, Hoffman. Total—2.

Absent and not voting: Ainsworth, Andrus, Campbell, Caplis, Graybill, Harcastle, Hedrick, Holt, Johnson (Fergus), Kinville, Larson (Cascade), Larsen (Sheridan), Lemmon, Meagher, Moriarity, Morris, Moulton, McCarty, Schoening, Shields, Smith (Lewis and Clark), Steeves, Wuerthner. Total—23.

### CONSIDERATION OF GENERAL ORDERS

Moved by Ruffcorn, duly seconded and carried, that House resolve itself into Committee of the Whole for Consideration of General Orders under the rules of the previous sitting.

Mr. Moss in the chair.

The committee arose.

Mr. Speaker in the chair.

The Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration bills on General Orders, respectfully report as follows: That House Bill No. 461 do pass.

MOSS, Chairman.

On motion of Moss, report adopted.

At the request of Wold, there being no objections, House reverted to Order of Business No. 6:

### MOTIONS AND RESOLUTIONS

Moved by Wold, duly seconded and carried, that House Bill No. 461 be considered properly engrossed and placed on Third Reading.

### THIRD READING OF HOUSE BILLS

House Bill No. 461, by Appropriations Committee, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Akofer, Anderson, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Castles, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Flachsenhar, Fletcher, Fox, Gordon, Green, Hanson, Harris, Hawley, Higham, Hoffman, Holton, Johnson (Valley), Keeley, Kelly, Kennedy, Kinville, Larson (Cascade), Larson (Sheridan), Leavens, Lincoln, Loble, Masters, Miller, Morris, Moss, Mulholland, Murphy, McGrath, Nagle, Nelson, Nelstead, Parkin, Peterson, Plank, Reed, Rice, Ruffcorn, Rupert, Ryder, Sales, Smith (Beavehead), Stoddard, Strange, Throssel, Tinsley, Troy, Waite, Walker, Walton, Wold, Woods, Zeh, Patterson, Mr. Speaker. Total—74.

Noes: Fitzgerald, Peat, Plumer. Total—3.

Absent and not voting: Ainsworth, Andrus, Campbell, Caplis, Flynn, Graybill, Hardcastle, Hedrick, Holt, Joffray, Johnson (Fergus), Larsen (Sheridan), Lemmon, Meagher, Merritt, Moriarity, Moulton, McAfee, McCarty, Schoening, Shields, Smith (Lewis and Clark), Steeves, White, Wuerthner. Total—25.

There being no objections, House reverted to Order of Business No. 6:

### MOTIONS AND RESOLUTIONS

Moved by Besancon, duly seconded, that House reconsider its action on Senate Bill No. 161.

Moved by White, as substitute motion, duly seconded, that motion to reconsider action on Senate Bill No. 161 be laid on the table.

Question arising on substitute motion same carried.

### CONSIDERATION OF GENERAL ORDERS

Moved by Ruffcorn, duly seconded and carried, that House now resolve itself into Committee of the Whole for the Consideration of General Orders, under the rules of the previous sitting.

Mr. Flachsenhar in the chair.

The committee arose.

Mr. Speaker in the chair.

The Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration bills on General Orders, respectfully report as follows: That

Senate Bill No. 145 that the enacting clause be stricken out.

Substitute Senate Bill No. 2 be passed for time being.

Senate Bill No. 91 be concurred in.

Senate Bill No. 55 be amended as follows:

Section 2. By striking out in line 9, all of said line after the word "laws;" also by striking out all of line 10 and the first three words of line 11.

And as so amended, Senate Bill No. 55 be concurred in.

Senate Bill No. 114 that the enacting clause be stricken out.

Senate Joint Resolution No. 10 be concurred in.

Senate Bill No. 86 be passed for time being.

FLACHSENHAR, Chairman.

Moved by Flachsenhar, duly seconded, that report be adopted.

Moved by Kennedy, duly seconded, that Senate Bill No. 145 be segregated from the report.

Question arising on motion to segregate Senate Bill No. 145, same failed.

Question arising on motion to adopt report, same carried.

Moved by Ruffcorn, duly seconded and carried, that House adjourn until 9:30 A. M., Thursday, March 5, 1925.

R. C. BRICKER, Speaker.

Attest: H. J. FAUST, Chief Clerk.

## SIXTIETH DAY

House of Representatives,  
Helena, Montana, March 5, 1925.

House met pursuant to adjournment at 9:30 A. M.

Mr. Speaker in the chair.

Prayer by the Chaplain.

On roll call all present except Caplis, excused on account of sickness.

The Journal Committee reported as follows:

Mr. Speaker: We, your Committee on Journal, have this day examined the Journal for the 59th Legislative day and found the same correct.

PARKIN, Vice-Chairman.

On motion of Smith, report adopted.

## MOTIONS AND RESOLUTIONS

Moved by Ruffcorn, duly seconded and carried, that House excuse A. T. Larsen of Sheridan after 5:30 P. M. for the remainder of the session.

## CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

Moved by Nelson, duly seconded and carried, that messages from Senate be considered read at length and the Journal so show.

The following messages were received from the Senate:

Helena, Montana, March 4, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Governor's veto to House Bills Nos. 224, 226, and 247 was



read and, on roll call, Governor's veto was, by two-thirds vote of the Senate sustained and the enrolled bills are herewith returned to the House.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, March 4, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 454 was this day read third time and concurred in, title agreed to, and is herewith returned to the House.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, March 4, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Mr. President this day appointed Senators Stewart, Porter and Schnitzler to act with a like committee from the House as a Conference Committee to confer on House Bill No. 330.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, March 4, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Mr. President this day appointed Senators Smith, Duncan and Stewart to act with a like committee from the House, as a Conference Committee, to confer on House Bill No. 219.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, March 4, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Mr. President this day appointed Senators Shelver, Conser and Pauline to act with a like committee from the House as a Conference Committee to confer on House Bill No. 169.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, March 4, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Mr. President this day appointed Senators Henderson, Mears and Green to act with a like committee from the House, as a Conference Committee to confer on House Bill No. 277.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, March 4, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Mr. President this day appointed Senators Griffin, Muffly and Staggs to act with a like committee from the House as a Conference Committee to confer on House Bill No. 299.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, March 4, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Mr. President this day appointed Senators Corrington, Delaney and Dell to act with a like committee from the House as a Conference Committee to confer on House Bill No. 242.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, March 4, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Mr. President this day appointed Senators Hazelbaker, Garber

and Conser to act with a like committee from the House as a Conference Committee to confer on House Bill No. 194.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, March 4, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Finance and Claims recommends that House Bill No. 384 be amended as follows:

Amend Section 1 sub-division 3, page 2, line 5, by striking out the words and figures "Fifty-five Thousand Dollars (\$55,000.00)" and inserting in lieu thereof the words and figures "Fifty-three Thousand Dollars (\$53,000.00)."

That said bill be further amended by striking out in line 9, page 2, sub-division 3 of Section 1 of the original bill the words and figures "Nine Thousand Dollars (\$9,000.00)" and inserting in lieu thereof the words and figures "Seventy-five Hundred Dollars (\$7,500.00)."

That said bill be further amended by striking out in Section 2 in sub-division 2, page 3, line 2, the words and figures "Fifty-five Thousand Dollars (\$55,000.00)" and inserting in lieu thereof the words and figures "Fifty-three Thousand Dollars (\$53,000.00)."

That said bill be further amended by striking out in Section 2, sub-division 2, page 3, line 6, of the original bill the words and figures "Nine Thousand Dollars (\$9,000.00)" and inserting in lieu thereof the words and figures "Seventy-five Hundred Dollars (\$7,500.00)."

And as so amended, said bill be concurred in.

Report adopted.

Respectfully,

J. F. CONE, Secretary of Senate.

### THIRD READING OF SENATE BILLS

Senate Joint Resolution No. 10, by Church, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Berryman, Besancon, Brandt, Budas, Castles, Clarke, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgerald, Flachsenhar, Fletcher, Flynn, Gordon, Graybill, Green, Hanson, Hardcastle, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Joffray, Johnson (Fergus), Keeley, Kelly, Kinville, Larson (Cascade), Larson (Sheridan), Masters, Merritt, Moriarity, Morris, Moulton, Mulholland, Murphy, McAfee, McGrath, Nagle, Nelson, Parkin, Patterson, Plank, Ruffcorn, Rupert, Ryder, Sales, Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Tinsley, Troy, Waite, Walker, Walton, White, Wold, Woods, Mr. Speaker. Total—72.

Noes: Plumer. Total—1.

Absent and not voting: Bergstrom, Burns, Campbell, Caplis, Cusick, Davis, Fitzgarrauld, Fox, Johnson (Valley), Kennedy, Larsen (Sheridan), Leavens, Lemmon, Lincoln, Loble, Meagher, Miller, Moss, McCarty, Nestead, Peat, Peterson, Reed, Rice, Schoening, Shields, Smith (Lewis and Clark), Wuerthner, Zeh. Total—29.

Senate Bill No. 55, introduced by Greenup: A Bill for an Act entitled: "An Act to provide for the submission to the qualified electors of the State of Montana of an amendment to Article XII of the Constitution of the State of Montana, relating to revenue and taxation by adding a new section thereto providing for the levying of taxes for the purposes of insuring growing crops against loss or damage by hail."

Be It Enacted by the Legislative Assembly of the State of Montana:

Section 1. That Article XII of the Constitution of the State of Montana be amended as hereinafter provided, and that the question of said

amendment be submitted to the qualified electors of the State of Montana at the next general election.

Section 2. That Article XII of the Constitution be, and the same is hereby amended by adding thereto a new section to be known as Section 19 and to read as follows.

"Section 19. The providing of insurance against loss or damage to crops by hail is hereby declared to be a public purpose, provided, however, that no such tax shall be levied against lands in any county until a majority of the qualified electors of such county shall, at any regular election or at an election held for such purpose, have voted in favor of submitting their lands and the crops growing thereon to the provisions of the State hail insurance laws, or unless the owner of any tract of land in any county shall have consented in writing to the imposition of such tax. And the Legislative Assembly is authorized and empowered to provide for the levy and collection annually of a tax upon agricultural land for said purpose. Said tax shall be levied upon such classification of said lands and with such exemptions as may be provided by law. The Legislative Assembly may divide the State into hail insurance districts on such basis as shall seem just and necessary to secure an equitable distribution of the burden of taxation among such lands and may classify the lands within such district and the rates of tax therein may vary in accordance with the risk incurred. The Legislative Assembly may determine the rates and may levy the tax in the different districts or may provide that such rates may be determined and such tax levied by the State Board of Equalization. The provisions of Section 9 of this article limiting the rate of tax for such purposes, shall not apply to the tax herein provided for, but such tax shall be in addition thereto."

Section 3. Separate official ballots shall be provided at the general election to be held in November, 1926, which shall have printed thereon all of Section 2 of this Act, and below the same shall be printed the words:

For the above written amendment to the Constitution:

Against the above written amendment to the Constitution. .

Each elector shall designate his preference by marking an X in the square before the proposition for which such elector desires to vote.

Section 4. The votes for and against the amendment above proposed shall be canvassed, determined and declared as provided by the general election laws of the State of Montana.

Section 5. All Acts and parts of Acts in conflict herewith are hereby repealed.

Section 6. This Act shall be in full force and effect from and after its passage and approval.

The above Senate Bill No. 55, by (Greenup, a constitutional amendment, having been read three several times, title and history agreed to, was concurred in by the required two-thirds vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Berryman, Besancon, Brandt, Budas, Castles, Clarke, Dellwo, Doran, Duncan, Eaton, Fairgrieve, Fitzgerald, Flynn, Gravbill, Green, Hanson, Hardcastle, Harris, Hawley, Hedrick, Higham, Hoffman, Holton, Joffray, Johnson (Fergus), Keeley, Kelly, Kennedy, Kinville, Larson (Sheridan), Masters, Meagher, Merritt, Moriarity, Morris, Moulton, Mulholland, McAfee, McGrath, Nelson, Nelstead, Parkin, Patterson, Plank, Ruffcorn, Rupert, Ryder, Sales, Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Tinsley, Troy, Walker, Walton, White, Woods, Nagle, Mr. Speaker. Total—66.

Noes: Flachsenhar, Gordon, Plumer, Waite, Wold. Total—5.

Absent and not voting: Bergstrom, Burns, Campbell, Caplis, Cusick, Davis, Donaldson, Fitzgarrald, Fletcher, Fox, Holt, Johnson (Valley), Larson (Cascade), Larsen (Sheridan), Leavens, Lemmon, Lincoln, Loble, Miller, Moss, Murphy, McCarty, Peat, Peterson, Reed, Rice, Schoening, Shields, Smith (Lewis and Clark), Wuerthner, Zeh. Total—31.



Senate Bill No. 91, by Linn, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Besancon, Brandt, Budas, Castles, Clarke, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Flynn, Gordon, Graybill, Green, Hardcastle, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kennedy, Kinville, Larson (Sheridan), Leavens, Masters, Meagher, Merritt, Moriarity, Morris, Moulton, Mulholland, Murphy, McGrath, Nagle, Nelstead, Parkin, Patterson, Peterson, Plank, Plumer, Reed, Ruffcorn, Ryder, Sales, Smith (Beaverhead), Steeves, Stoddard, Throssel, Tinsley, Troy, Walker, Walton, White, Wold, Nelson, Mr. Speaker. Total—73.

Noes: None.

Absent and not voting: Bergstrom, Berryman, Burns, Campbell, Caplis, Cusick, Davis, Fox, Hanson, Larson (Cascade), Larsen (Sheridan), Lemmon, Lincoln, Loble, Miller, Moss, McAfee, McCarty, Peat, Rice, Rupert, Schoening, Shields, Smith (Lewis and Clark), Strange, Waite, Woods, Wuerthner, Zeh. Total—29.

The Enrolling Committee reported as follows:

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled:

House Joint Resolution No. 2, House Bills Nos. 406, 228, 379, 52, 50, 441, 423, 234, 396, 40, 308, 141, 439, 338 and 380.

WAITE, Vice-Chairman.

The Speaker gave notice to the House that he was about to sign House Bills Nos. 406, 228, 379, 52, 50, 441, 423, 234, 396, 40, 308, 141, 439, 338 and 380, and thereupon signed the same respectively.

### THIRD READING OF HOUSE BILLS

Senate amendments to House Bill No. 384, by Appropriations Committee were concurred in by the following vote:

Ayes: Akofer, Anderson, Andrus, Bergstrom, Berryman, Besancon, Budas, Burns, Castles, Clarke, Cusick, Dellwo, Donaldson, Doran, Duncan, Fairgrieve, Fitzgarrald, Flachsenhar, Fletcher, Flynn, Gordon, Graybill, Green, Harris, Hedrick, Higham, Hoffman, Holt, Holton, Johnson (Valley), Keeley, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Masters, Meagher, Merritt, Miller, Morris, Moulton, McAfee, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Peterson, Plank, Ruffcorn, Ryder, Sales, Smith (Beaverhead), Steeves, Stoddard, Throssel, Tinsley, Walker, Walton, White, Woods, Davis, Mr. Speaker. Total—67.

Noes: Beadle, Fitzgerald, Mulholland, Plumer. Total—4.

Absent and not voting: Ainsworth, Brandt, Campbell, Caplis, Eaton, Fox, Hanson, Hardcastle, Hawley, Joffray, Johnson (Fergus), Kelly, Lemmon, Loble, Moriarity, Moss, Murphy, McCarty, Peat, Reed, Rice, Rupert, Schoening, Shields, Smith (Lewis and Clark), Strange, Troy, Waite, Wold, Wuerthner, Zeh. Total—31.

The Speaker announced the members on Conference Committee to consider Senate amendments to House Bill No. 435 as follows:

SALES of Gallatin,  
JOHNSON of Valley,  
STODDARD of Deer Lodge.

### REPORTS OF SELECT COMMITTEES

The following report was received from Conference Committee appointed to consider Senate amendments to House Bill No. 242:

Helena, Montana, March 3, 1925.

President of the Senate and Speaker of the House: Your Conference Committee on House Bill No. 242, introduced by Loble: A Bill for an Act entitled: "An Act defining the term 'Itinerant Vendor,' and to regulate and to license itinerant vendors, and to fix the terms and the amount of license fees to be paid, and to provide funds for such regulation and the enforcement thereof, and to provide for their collection, and to prevent fraud, and to provide penalties for the violation of any of the terms of this Act and for other purposes, and repealing Sections 2421 to 2428 inclusive of the Revised Codes of Montana of 1921." respectfully report as follows: That the Senate recede from its first amendment to Section 1, which amendment reads as follows:

Amend Section 1 of the original bill by striking out lines 2 and 3 from Section 1, and inserting in lieu thereof the following: 'Business of retailing to consumers on the streets or by going from residence to residence and there soliciting, selling or offering to sell, or'".

That the House concur in the second amendment to Section 1, which amendment reads as follows:

"Amend Section 1 by adding after the word purchased in line 22 the words 'This Act shall in no way affect any person, firm, copartnership or corporation with a commercial rating and who maintain a permanent place of business in the State of Montana'", and that thereupon the House concur in said Senate amendment.

G. H. CORRINGTON,  
F. T. DELL,  
F. W. DELANEY,

Senate.

DAVIS,  
HAWLEY,  
LOBLE,

House.

The report of Conference Committee on Senate amendments to House Bill No. 242 was adopted by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Castles, Clarke, Cusick, Davis, Doran, Duncan, Fairgrieve, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Flynn, Gordon, Graybill, Green, Harris, Hawley, Hedrick, Higham, Holt, Holton, Keeley, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Leavens, Lincoln, Masters, Meagher, Merritt, Miller, Moriarity, Morris, Moulton, Mulholland, Murphy, McAfee, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Peterson, Plank, Reed, Ruffcorn, Sales, Schoening, Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Tinsley, Troy, Walker, Walton, White, Woods, Mr. Speaker. Total—73.

Noes: Donaldson, Hoffman, Larson (Sheridan), Rupert, Ryder. Total—5.

Absent and not voting: Campbell, Caplis, Dellwo, Eaton, Fox, Hanson, Hardcastle, Joffray, Johnson (Fergus), Johnson (Valley), Kelly, Lemmon, Loble, Moss, McCarty, Peat, Rice, Shields, Smith (Lewis and Clark), Waite, Wold, Wuerthner, Zeh. Total—23.

Present and not voting: Plumer. Total—1.

The Speaker gave notice to the House that he was about to sign House Joint Resolution No. 2, and thereupon signed the same.

#### CONSIDERATION OF GENERAL ORDERS

Moved by Ruffcorn, duly seconded and carried, that House now resolve itself into Committee of the Whole for Consideration of General Orders under the rules of the previous sitting.

Mr. Davis in the chair.

The committee arose.

Mr. Speaker in the chair.

The Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration bills on General Orders, respectfully report as follows: That

House Bill No. 459 do pass.

Substitute Senate Bill No. 2 that the enacting clause be stricken out, Senate Bill No. 86 be concurred in.

DAVIS, Chairman.

Moved by Davis, duly seconded, that report be adopted.

Moved by Loble, duly seconded, that Substitute Senate Bill No. 2 be segregated from the report.

Question arising on motion to segregate Substitute Senate Bill No. 2, roll call having been demanded, same is lost by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Budas, Campbell, Castles, Cusick, Donaldson, Doran, Fitzgerald, Flynn, Graybill, Hawley, Higham, Hoffman, Kinville, Larson (Sheridan), Leavens, Lincoln, Loble, Morris, Mulholland, Murphy, McCarty, McGrath, Nagle, Nelson, Rupert, Ryder, Wold. Total—32.

Noes: Bergstrom, Berryman, Besancon, Brandt, Burns, Clarke, Davis, Dellwo, Duncan, Eaton, Fairgrieve, Fitzgarrald, Flachsenhar, Fletcher, Fox, Gordon, Hanson, Harris, Hedrick, Holt, Holton, Johnson (Valley), Keeley, Kennedy, Larson (Cascade), Larson (Sheridan), Masters, Meagher, Merritt, Miller, Moriarity, Moss, Moulton, McAfee, Nelstead, Parkin, Patterson, Peat, Plank, Plumer, Reed, Ruffcorn, Sales, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Tinsley, Waite, Walker, Walton, White, Woods, Zeh. Total—59.

Absent and not voting: Caplis, Green, Hardcastle, Joffray, Johnson (Fergus), Kelly, Lemmon, Peterson, Rice, Troy, Wuerthner. Total—10.

Question arising on motion that report be adopted, same carried.

## REPORTS OF SELECT COMMITTEES

The following report was received from Conference Committee:

Helena, Montana, March 5, 1925.

To the President of the Senate and the Speaker of the House: Your Conference Committee on House Bill No. 243, being a Bill for an Act entitled: "An Act amending Section 6070 of the Revised Codes of Montana of 1921, relating to the creation of State Banking Department, and to the appointment of a Superintendent of Banks and his deputies, fixing their terms of office and salary," respectfully recommend as follows:

That the Senate amendment on line 8 of the printed bill be changed to read as follows: Insert after the word "shall" the words "have been a resident of the State of Montana for three years and shall."

That the action of the Senate in striking out lines 26 and 27 of the printed bill be receded from, and lines 26 and 27 be amended to read as follows: "Neither the Superintendent of Banks or any bank examiner shall be a borrower from any State Bank, directly or indirectly." And that the balance of the Senate amendments be concurred in.

W. K. ADAMS,  
BURTON WATSON,  
MEARS,

Senate.

MARK D. FITZGARRALD,  
J. O. HIGHAM,  
PETERSON,

House.



The above report from Conference Committee regarding Senate amendments to House Bill No. 243, was adopted by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Besancon, Brandt, Budas, Campbell, Castles, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Eaton, Fitzgerald, Flachsenhar, Fletcher, Flynn, Fox, Gordon, Graybill, Harris, Hawley, Hedrick, Higham, Holt, Holton, Joffray, Johnson (Valley), Keeley, Kelly, Kennedy, Kinville, Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Loble, Masters, Meagher, Merritt, Miller, Moriarity, Morris, Moss, Moulton, Mulholland, Murphy, McAfee, McCarty, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Peat, Plank, Plumer, Reed, Rupert, Sales, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Strange, Tinsley, Waite, Walker, Walton, White, Wold, Woods, Zeh, Mr. Speaker. Total—82.

Noes: None.

Absent and not voting: Berryman, Burns, Caplis, Duncan, Fairgrieve, Fitzgarrald, Green, Hanson, Hardcastle, Hoffman, Johnson (Fergus), Larson (Cascade), Lemmon, Peterson, Rice, Ruffcorn, Ryder, Throssel, Troy, Wuerthner. Total—20.

There being no objections, House reverted to Order of Business No. 4:

### REPORTS OF STANDING COMMITTEES

The following report was received from Judiciary Committee:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 424, introduced by Johnson (of Fergus) and Beadle, respectfully report as follows: That House Bill No. 424 do pass.

BURNS, Chairman.

On motion of Burns, report adopted.

### MOTIONS AND RESOLUTIONS

Moved by Loble, duly seconded and carried, that House Bill No. 459 be considered properly engrossed and placed on Third Reading.

### THIRD READING OF HOUSE BILLS

House Bill No. 459, by Appropriations Committee, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Beadle, Bergstrom, Berryman, Besancon, Brandt, Campbell, Castles, Clarke, Davis, Dellwo, Doran, Duncan, Eaton, Fitzgarrald, Fitzgerald, Fox, Graybill, Hanson, Harris, Hawley, Keeley, Kelly, Kinville, Larsen (Sheridan), Leavens, Loble, Moriarity, Moss, Mulholland, Murphy, McCarty, McGrath, Nagle, Nelson, Nelstead, Patterson, Plank, Reed, Ruffcorn, Ryder, Schoening, Shields, Smith (Lewis and Clark), Stoddard, Strange, Throssel, Tinsley, Walker, White, Woods, Zeh, Mr. Speaker. Total—52.

Noes: Ainsworth, Anderson, Budas, Cusick, Donaldson, Flachsenhar, Fletcher, Flynn, Gordon, Higham, Hoffman, Holton, Johnson (Valley), Kennedy, Larson (Cascade), Larson (Sheridan), Lincoln, Masters, Meagher, Merritt, Morris, Moulton, McAfee, Parkin, Peat, Plumer, Sales, Smith (Beaverhead), Steeves, Waite, Walton, Wold. Total—32.

Absent and not voting: Akofer, Andrus, Burns, Caplis, Fairgrieve, Green, Hardcastle, Hedrick, Holt, Joffray, Johnson (Fergus), Lemmon, Miller, Peterson, Rice, Rupert, Troy, Wuerthner. Total—18.

The Speaker gave notice to the House that he was about to sign Senate Bills. Nos. 182, 128, 13 and 47, and thereupon signed the same respectively.

## CONSIDERATION OF GENERAL ORDERS

Moved by Ruffcorn, duly seconded and carried, that House resolve itself into Committee of the Whole for Consideration of General Orders under the rules of the previous sitting.

Mr. Davis in the chair.

The committee arose.

Mr. Speaker in the chair.

The Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration Bills on General Orders, respectively report as follows: That House Bill No. 424 be passed for time being.

DAVIS, Chairman.

On motion of Davis, report adopted.

Moved by Nelstead, duly seconded and carried, that House recess until 2:30 P. M.

## AFTERNOON SESSION

House resumed at 2:30 P. M.

Mr. Speaker in the chair.

## REPORTS OF SELECT COMMITTEES

The following report was received from Conference Committee on Senate amendments to House Bill No. 299:

The President of the Senate and the Speaker of the House: We, your Conference Committee on House Bill No. 299, being an Act entitled: "An Act to amend Section 2095 of the revised Codes of Montana of 1921 relating to the collection and lien of taxes on the net proceeds of Mines," report as follows:

The committee recedes from the Senate amendment and recommends the following as a substitute amendment.

Provided, however, that such personal or real property is owned by or under lease by the person, partnership, association, or corporation who extracted said ore, or mineral products or deposits."

GRIFFIN,  
MUFLY,  
STAGGS,  
RICE,  
HANSON,  
JOFFRAY.

The above report was adopted by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Clarke, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgerald, Flachsenhar, Fletcher, Fox, Gordon, Graybill, Hanson, Hardcastle, Harris, Hedrick, Higham, Hoffman, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kennedy, Larson (Cascade), Larsen (Sheridan), Leavens, Lemmon, Lincoln, Loble, Masters, Merritt, Moriarity, Morris, Moss, Moulton, Mulholland, Murphy, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Plank, Plumer, Reed, Rice, Ruffcorn, Rupert, Ryder, Sales, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Tinsley, Troy, Walker, Walton, White, Woods, Mr. Speaker. Total —81.

Noes: None.

Absent and not voting: Campbell, Caplis, Castles, Cusick, Fitzgarrald, Flynn, Green, Hawley, Holt, Kinville, Larson (Sheridan), Meagher, Miller, McAfee, McCarty, Peat, Peterson, Waite, Wold, Wuerthner, Zeh. Total —21.

## CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

The following messages were received from the Senate:

Helena, Montana, March 5, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Judiciary reports that House Bill No. 35 be amended as follows:

Amend Section 2 by striking out on page 2, line 25, the words "July one, Nineteen hundred twenty-five" and inserting in lieu thereof "January one, Nineteen hundred twenty-six."

Amend Section 3 by striking out in lines 2 and 3, on page 4, the words "October one, Nineteen hundred twenty-five" and inserting in lieu thereof the words "January one, Nineteen hundred twenty-six."

Amend Section 4 by striking out on page 5, in line 11, all after the word "Dollar" and inserting in lieu thereof the following: "or by imprisonment in the county jail not more than six months or both such fine and imprisonment in the discretion of the court." Also amend Section 4 by striking out in line 7 on page 5 the words "July one, Nineteen hundred twenty-five" and inserting in lieu thereof the words "January one, Nineteen hundred twenty-six."

Amend Section 5 by striking out on page 6 in line 18 all after the word "issued."

Amend Section 9 on page 8 in line 10 by striking out all after the word "court."

Amend Section 18 by striking out after the word "distributed" in line 7, on page 16, the following words: "Twenty-five per cent to the general fund to the counties from which the same originated, twenty-five per cent to the road fund of the counties from which the same originated and fifty per cent to the common school fund," and inserting in lieu thereof the following words: "to the road fund of the counties from which the same originated." Amend the amendment to Section 18 by the Committee of the Whole by striking out the entire amendment which reads as follows: "amend Section 18 by striking out in line 9 all after the word 'instance' and inserting in lieu thereof the following: 'out of the general fund in the State Treasury and as soon as sufficient funds are available from the fees and collections provided for in this Act, the said general fund in the State Treasury shall be reimbursed for the amount so paid,'" and substitute in lieu thereof the following amendment to Section 18: "insert in line 25 on page 16 before the word 'fund' the following: 'motor vehicle administrative' and in line 17 on page 16 striking out the word 'license' and inserting in lieu thereof the words 'said motor vehicle administrative.'"

Strike out all of the amendment to Section 22 made in Committee of the Whole which reads as follows: "Amend Section 22 by striking out in line 1 after the word 'day' all of said section and inserting in lieu thereof the words "January one, Nineteen hundred twenty-six."

Add a new section to be known as Section 24 to read as follows: "Date Effective. This Act shall take effect on the first day of January, Nineteen hundred twenty-six."

Other than as above indicated the amendments made by the Committee on Roads and Highways, to whom this bill was previously referred, and the Committee of the Whole, are recommended for adoption.

And, as amended, it be concurred in.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, March 5, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 35 was this day read third time and concurred



in as amended, title agreed to, and same is herewith returned to the House for concurrence in Senate amendments.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, March 5, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee of the Whole, having had under consideration Business on General File, report as follows:

That House Bill No. 455 be concurred in.

That House Bill No. 35 be concurred in.

That House Bill No. 353 be concurred in.

That House Bill No. 457 be concurred in.

That House Bill No. 278 be amended as follows:

By striking out all of Section 1, of the printed bill, and inserting in lieu thereof the following to be known as Section 1: "There is hereby created and established a Banking and Building and Loan Association Code Committee to be known as the Banking Code Commission of the State of Montana. Said board to consist of three (3) members to be appointed by the Governor, all of whom shall be qualified electors of the State of Montana. Any vacancy occurring on the commission by death or otherwise to be filled by appointment by the Governor."

Amend Section 2 in the printed bill by striking out all of said section, and by inserting in lieu thereof the following to be known as Section 2: "The Commission shall receive no salary or compensation other than their actual expenses.

Amend Section 3 of the printed bill by striking out all of said Section 3.

Amend Section 4 of the printed bill by numbering the same Section 3.

Amend Section 5 of the printed bill by numbering the same Section 4.

Amend Section 6 of the printed bill by numbering the same Section 5.

Amend Section 7 of the printed bill by numbering the same Section 6, and amend section 7 of the printed bill further by striking out in lines 2 and 3 of said Section of the printed bill, the words and figures seven thousand (7000) and inserting in lieu thereof "twenty-five hundred (2500)."

Amend Section 8 of the printed bill by numbering the said section Section 7.

Amend Section 9 of the printed bill by numbering the said Section 9, Section 8.

Amend Section 10 of the printed bill by numbering the same Section 9.

Amend Section 4 of the printed bill by adding at the end of said section the following: "Provided that nothing in this Act shall authorize such commission to travel or hold meetings outside of the State of Montana."

Amend Section 7 by striking out in lines 3 and 4 the words "salaries and," and, as amended, it be concurred in.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, March 5, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 278 was this day read third time and concurred in as amended, title agreed to, and same is herewith returned to the House for concurrence in Senate amendments.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, March 5, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Finance and Claims reports that House Bill No. 455 be amended as follows:

Amend House Bill No. 455 by striking out the House amendment to lines 12, 13, and 14 inclusive and inserting in lieu thereof the following:

"For the payment of salaries, supplies and expenses of the Livestock Sanitary Board, and for the payment of slaughtered stock as provided by Chapter 262, Session Laws of 1921, such sums as may be required, to be paid from the Livestock Sanitary Board Fund."

Further amend Section 1 by striking out the House amendment added at line 19, Section 1, of the original bill and adding said House amendment at line 28 of Section 1 of said original bill.

That Section 1 be further amended by cutting out the words and figures "Fifty-two Thousand Dollars (\$52,000)" at line 11 of Section 1 of the original bill and inserting in lieu thereof the words and figures "Fifty-one Thousand Dollars (\$51,000)."

That Section 1 of the original bill be further amended by striking out in line 20 of Section 1 of the original bill the words and figures "Nine Thousand Dollars (\$9,000)" and inserting in lieu thereof the words and figures "Eighty-five Hundred Dollars (\$8500)."

That Section 2 of the original bill be amended by striking out the lines numbers 4, 5 and 6, page 2 of the original bill and inserting in lieu thereof the following: "for the payment of salaries, supplies and other expenses of the Livestock Sanitary Board and for the payment of slaughtered stock as provided by Chapter 262, Session Laws 1921, such sums as may be required, to be paid from the Livestock Sanitary Board Fund."

Further amend Section 2 by striking out the words and figures "Fifty-two Thousand Dollars (\$52,000)" of line 4 of said Section, page 2, and inserting in lieu thereof the words and figures "Fifty-one Thousand Dollars (\$51,000)."

Further amend said bill by striking out the words and figures "Nine Thousand Dollars (\$9,000)" in line 12, page 2, Section 2, of the original bill and inserting in lieu thereof the words and figures "Eighty-five Hundred Dollars (\$8,500)."

And as so amended bill be concurred in.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, March 5, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 455 was this day read third time and concurred in as amended, title agreed to, and same is herewith returned to the House for concurrence in Senate amendments.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, March 5, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Finance and Claims report that House Bill No. 457 be amended as follows:

Amend House Bill No. 457 by striking the words and figures "Five Thousand Dollars (\$5,000)" in Section 1, line 17, of the original bill and inserting in lieu thereof the words and figures "Twenty-five Hundred Dollars (\$2,500)."

Amend Section 2 by striking out at line 26 of the original bill, page 1, the words and figures "Five Thousand Dollars (\$5,000)" and inserting in lieu thereof the words and figures "Twenty-five Hundred Dollars (\$2,500)."

Amend Section 3 by striking out the words and figures "Forty-five Thousand Dollars (\$45,000)" line 27 and inserting in lieu thereof the words and figures "Twenty-five Thousand Dollars (\$25,000)."

Amend Section 4, page 2, line 2, by striking out the words and figures "Forty-five Thousand Dollars (\$45,000)" and inserting in lieu thereof the words and figures "Twenty-five Thousand Dollars (\$25,000)."

Strike out Sections 9 and 10 and renumber sections of bill correspondingly.

And as amended, it be concurred in.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, March 5, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 457 was this day read third time and concurred in as amended, title agreed to, and same is herewith returned to the House for concurrence in Senate amendments.

Respectfully,

J. F. CONE, Secretary of Senate.

### CONSIDERATION OF GENERAL ORDERS

Moved by Ruffcorn, duly seconded and carried, that House resolve itself into Committee of the Whole for Consideration of General Orders under the rules of the previous sitting.

Mr. Davis in the chair.

The committee arose.

Mr. Speaker in the chair.

The Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration Bills on General Orders, respectfully report as follows: That House Bill No. 424 do pass.

House Bill No. 35, Senate amendments be concurred in.

House Bill No. 278, Senate amendments be not concurred in and a conference committee be requested.

House Bill No. 455, Senate amendments be concurred in.

House Bill No. 457, Senate amendments be not concurred in and a conference committee be requested.

DAVIS, Chairman.

On motion of Davis, report adopted.

There being no objections, House reverted to Order of Business No. 6:

### MOTIONS AND RESOLUTIONS

Moved by Fitzgarrald of Ravalli, duly seconded, that House reconsider its action of yesterday on Senate Bill No. 114.

Moved by Ruffcorn, as substitute motion, duly seconded, that motion to reconsider action on Senate Bill No. 114 be laid on the table.

Question arising on substitute motion, same failed.

Question arising on original motion, roll call having been demanded, same carried by the following vote:

Ayes: Ainsworth, Akofer, Andrus, Burns, Campbell, Castles, Cusick, Doran, Duncan, Fitzgarrald, Flachsenhar, Flynn, Fox, Graybill, Hardcastle, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Joffray, Johnson (Fergus), Kelly, Larson (Cascade), Lemmon, Lincoln, Loble, Masters, Meagher, Merritt, Miller, Moriarity, Morris, Moulton, Murphy, McAfee, McCarty, McGrath, Nagle, Nelstead, Plumer, Reed, Rice, Rupert, Ryder, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Strange, Tinsley, Troy, Walker. Total—55.

Noes: Anderson, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Clarke, Davis, Dellwo, Donaldson, Eaton, Fairgrieve, Fitzgerald, Fletcher, Gordon, Hanson, Harris, Keeley, Kennedy, Larsen (Sheridan), Larson (Sheridan), Leavens, Moss, Mulholland, Nelson, Parkin, Patterson,



Peat, Plank, Ruffcorn, Throssel, Waite, Walton, White, Wold, Woods. Total—37.

Absent and not voting: Caplis, Green, Johnson (Valley), Kinville, Peterson, Sales, Stoddard, Wuerthner, Zeh. Total—9.

Moved by Fitzgarrald of Ravalli, duly seconded, that House request Senate to return Senate Bill No. 114 for further consideration.

Moved by Ruffcorn, as substitute motion, duly seconded, that motion to recall Senate Bill No. 114 from Senate, be laid on the table.

Question arising on substitute motion, same failed.

Question arising on original motion, same carried.

Moved by Holton, duly seconded, that House request return of House Bill No. 330 from Conference Committee.

Question arising on motion, same failed.

The Committee on Engrossing reported as follows:

Mr. Speaker: We, your Committee on Engrossing beg leave to report the following bills correctly engrossed:

House Bill No. 448.

BERRYMAN, Chairman.

The Committee on Enrolling reported as follows:

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled:

House Bills Nos. 253, 303, 398, 357, 99, 190, 320, 237, 248 and 291.

WAITE, Vice-Chairman.

The Speaker gave notice to the House that he was about to sign House Bills Nos. 253, 303, 398, 357, 99, 190, 320, 237, Substitute House Bill No. 248, House Bill No. 291, Senate Joint Resolution No. 10, Senate Bills Nos. 91, 55 and 134 and thereupon signed the same.

Moved by Joffray, duly seconded and carried, that House Bill No. 424 be considered correctly engrossed and placed on Third Reading.

### THIRD READING OF HOUSE BILLS

House Bill No. 424, by Johnson of Fergus, etc., having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Akofer, Anderson, Beadle, Bergstrom, Besancon, Brandt, Burns, Campbell, Castles, Clarke, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fitzgarrald, Fitzgerald, Flachsenhar, Fletcher, Flynn, Fox, Gordon, Graybill, Green, Hanson, Hardcastle, Harris, Hawley, Hedrick, Holt, Holton, Joffray, Johnson (Fergus), Keeley, Kelly, Kinville, Larsen (Sheridan), Larson (Sheridan), Leavens, Lemmon, Loble, Miller, Moriarity, Morris, Moss, Mulholland, Murphy, McGrath, Nagle, Parkin, Peat, Plank, Rice, Rupert, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Throssel, Tinsley, Troy, Walker, White, Wuerthner, Zeh, Mr. Speaker. Total—67.

Noes: Ainsworth, Berryman, Budas, Cusick, Higham, Hoffman, Lincoln, Masters, Merritt, Moulton, Nelson, Nelstead, Patterson, Peterson, Plumer, Reed, Ruffcorn, Ryder, Steeves, Strange, Walton, Woods. Total—22.

Absent and not voting: Andrus, Caplis, Fairgrieve, Johnson (Valley), Kennedy, Larson (Cascade), Meagher, McAfee, McCarty, Sales, Stoddard, Waite, Wold. Total—13.

There being no objections, House reverted to Order of Business No. 8:

### THIRD READING OF SENATE BILLS

Senate Bill No. 86, by Mears, having been read three several times, title and history agreed to was concurred in by the following vote:

Ayes: Ainsworth, Beadle, Bergstrom, Berryman, Brandt, Budas, Burns, Castles, Clarke, Davis, Eaton, Fairgrieve, Fitzgerald, Fletcher, Flynn, Gordon, Graybill, Hanson, Hardcastle, Harris, Hawley, Higham, Hoffman, Holt, Joffray, Keeley, Kennedy, Kinville, Larsen (Sheridan), Loble, Masters, Moriarity, Moss, McGrath, Nagle, Nelson, Reed, Rice, Ruffcorn, Ryder, Schoening, Shields, Smith (Lewis and Clark), Steeves, Strange, Throssel, Walton, Woods, Zeh, Mr. Speaker. Total—50.

Noes: Akofer, Anderson, Andrus, Besancon, Campbell, Cusick, Dellwo, Donaldson, Duncan, Fox, Hedrick, Larson (Cascade), Larson (Sheridan), Lemmon, Leavens, Lincoln, Meagher, Merritt, Miller, Morris, Moulton, Mulholland, Murphy, Nelstead, Patterson, Peat, Plank, Plumer, Rupert, Walker, Wuerthner. Total—31.

Absent and not voting: Caplis, Doran, Fitzgarrald, Flachsenhar, Green, Holton, Johnson (Fergus), Johnson (Valley), Kelly, McAfee, McCarty, Parkin, Peterson, Sales, Smith (Beaverhead), Stoddard, Troy, Waite, White, Wold. Total—20.

Present and not voting: Tinsley. Total—1.

### THIRD READING OF HOUSE BILLS

Senate amendments to House Bill No. 35 were concurred in by the following vote:

Ayes: Akofer, Anderson, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Castles, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgarrald, Fitzgerald, Fletcher, Flynn, Graybill, Green, Hanson, Hardcastle, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Joffray, Keeley, Kelly, Kennedy, Kinville, Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Leavens, Lincoln, Loble, Masters, Miller, Moriarity, Moss, Moulton, Mulholland, McAfee, McGrath, Nagle, Nelson, Patterson, Peat, Peterson, Plank, Plumer, Rice, Ruffcorn, Rupert, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Tinsley, Walker, White, Wuerthner, Mr. Speaker. Total—72.

Noes: Morris, Parkin, Walton, Woods. Total—4.

Absent and not voting: Ainsworth, Andrus, Caplis, Flachsenhar, Fox, Gordon, Johnson (Fergus), Johnson (Valley), Lemmon, Meagher, Merritt, Murphy, McCarty, Nelstead, Reed, Ryder, Sales, Schoening, Shields, Stoddard, Strange, Throssel, Troy, Waite, Wold, Zeh. Total—26.

Senate amendments to House Bill No. 455 were concurred in by the following vote:

Ayes: Akofer, Anderson, Andrus, Bergstrom, Berryman, Besancon, Brandt, Budas, Campbell, Castles, Clarke, Cusick, Davis, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fletcher, Flynn, Graybill, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Joffray, Keeley, Kelly, Kennedy, Kinville, Larsen (Sheridan), Larson (Sheridan), Leavens, Loble, Masters, Merritt, Miller, Moriarity, Morris, Moss, Moulton, Murphy, Nagle, Nelson, Parkin, Patterson, Plumer, Reed, Rice, Rupert, Ryder, Schoening, Smith (Beaverhead), Steeves, Strange, Throssel, Tinsley, Walker, Walton, White, Woods, Zeh, Mr. Speaker. Total—66.

Noes: Beadle, Fitzgerald, Hardcastle, Mulholland. Total—4.

Absent and not voting: Ainsworth, Burns, Caplis, Dellwo, Fitzgarrald, Flachsenhar, Fox, Gordon, Green, Hanson, Johnson (Fergus), Johnson (Valley), Larson (Cascade), Lemmon, Lincoln, Meagher, McAfee, McCarty, McGrath, Nelstead, Peat, Peterson, Plank, Ruffcorn, Sales, Shields, Smith (Lewis and Clark), Stoddard, Troy, Waite, Wold, Wuerthner. Total—32.

### REPORTS OF SELECT COMMITTEES

The following report was received from Conference Committee on Senate amendments to House Bill No. 194:

Mr. Speaker and Mr. President: We, your Conference Committee appointed to confer with a like committee of the Senate on Senate amendments to House Bill No. 194, being a bill for an Act entitled: "An Act to amend Section 1001 of the Revised Codes of Montana of 1921, relating to the comparing of signatures on initiative and referendum petitions," beg leave to report that your conference committee cannot agree and ask that the committee be discharged.

C. F. HOLT,  
THEO R. BERGSTROM,  
ALEX FAIRGRIEVE,  
HAZELBAKER,  
JOHN D. GARBER,  
C. C. CONSER.

Moved by Holt, duly seconded and carried, that further action on House Bill No. 194 be indefinitely postponed.

Moved by Holt, duly seconded, that House reconsider its action on House Bill No. 194 just taken.

Question arising on motion to reconsider action on House Bill No. 194, same failed.

Moved by Davis, duly seconded and carried, that House recess subject to call of chair.

House resumed.

Mr. Speaker in the chair.

#### MOTIONS AND RESOLUTIONS

Moved by Fitzgarrald, duly seconded and carried, that Senate Bill No. 114 be placed on General Orders.

#### CONSIDERATION OF GENERAL ORDERS

Moved by Loble, duly seconded and carried, that House now resolve itself into Committee of the Whole for Consideration of General Orders under the rules of the previous sitting.

Mr. Davis in the chair.

The committee arose.

Mr. Speaker in the chair.

The Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration Bills on General Orders, respectfully report as follows:

That Senate Bill No. 114 be amended as follows:

Section 2. By striking out in line 7 the figures 5 and inserting in lieu thereof the figure 4.

And as so amended that Senate Bill No. 114 be concurred in.

DAVIS, Chairman.

On motion of Davis, report adopted.

The Speaker announced the members of Conference Committees as follows:

On House Bill No. 278: Fitzgarrald of Ravalli, Leavens of Yellowstone, Loble of Lewis and Clark.

On House Bill No. 457: Reed of Broadwater, McAfee of Flathead, Tinsley of Madison.

There being no objections, House reverted to Order of Business No. 6:

#### MOTIONS AND RESOLUTIONS

Moved by Loble, duly seconded and carried, that Senate Bill No. 114 be considered properly engrossed and placed on Third Reading.



## THIRD READING OF SENATE BILLS

Senate Bill No. 114, by Clark, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Akofer, Anderson, Burns, Campbell, Castles, Doran, Duncan, Fitzgarrald, Flachsenhar, Flynn, Fox, Graybill, Green, Hardcastle, Harris, Hawley, Hedrick, Holton, Joffray, Kelly, Kennedy, Kinville, Larson (Cascade), Larson (Sheridan), Leavens, Lemmon, Lincoln, Loble, Meagher, Miller, Moriarity, Morris, Moss, Moulton, Mulholland, Murphy, McCarty, McGrath, Nagle, Nelson, Peat, Peterson, Plumer, Reed, Rice, Ryder, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Throssel, Tinsley, Troy, Walker, White, Wuerthner, Zeh. Total—58.

Noes: Ainsworth, Andrus, Beadle, Bergstrom, Berryman, Besancon, Budas, Clarke, Davis, Dellwo, Donaldson, Eaton, Fairgrieve, Fitzgerald, Gordon, Hanson, Higham, Hoffman, Holt, Johnson (Valley), Keeley, Masters, Merritt, Nelstead, Parkin, Patterson, Plank, Ruffcorn, Rupert, Sales, Schoening, Strange, Waite, Walton, Wold, Woods, Mr. Speaker. Total—37.

Absent and not voting: Brandt, Caplis, Cusick, Fletcher, Johnson (Fergus), Larsen (Sheridan), McAfee. Total—7.

The Committee on Enrolling reported as follows:

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled:

House Bills Nos. 86, 229, 335, 277, 454, 163, 436, 395, 243, 385 and 384.  
McAFEE, Chairman.

There being no objections, Rupert was excused for the evening.

Moved by Ruffcorn, duly seconded and carried, that House recess until 8:30 P. M.

## EVENING SESSION

House resumed at 8:30 P. M.

Mr. Speaker in the chair.

## REPORTS OF SELECT COMMITTEES

The following report was received from Conference Committee on Senate amendments to House Bill No. 169:

Mr. Speaker: We, your House Joint Conference Committee on House Bill No. 169, have this day disagreed and ask to be discharged.

McAFEE,

A. WHITE,

B. TINSLEY.

On motion of McAfee, report adopted.

Moved by McAfee, duly seconded, that Senate amendmnets to House Bill No. 169 be concurred in.

Question arising on motion, Senate amendments to House Bill No. 169 were concurred in by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Castles, Clarke, Cusick, Davis, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgerald, Flachsenhar, Fletcher, Flynn, Gordon, Graybill, Green, Hardcastle, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kennedy, Kinville, Larson (Cascade), Larson (Sheridan), Lincoln, Loble, Masters, Miller, Moriarity, Morris, Moss, Moulton, Mulholland, Murphy, McAfee, McCarty, McGrath, Nagle, Nelson, Nelstead, Parkin, Peat, Peterson, Plank, Plumer, Reed, Rice, Ruffcorn, Ryder,

Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Throssel, Tinsley, Troy, Waite, Walker, Walton, White, Wold, Woods, Wuerthner, Strange, Mr. Speaker. Total—83.

Noes: None.

Absent and not voting: Beadle, Campbell, Caplis, Dellwo, Fitzgarrald, Fox, Hanson, Harris, Larsen (Sheridan), Leavens, Lemmon, Meagher, Merritt, Patterson, Rupert, Sales, Shields, Stoddard, Zeh. Total—19.

The following report was received from Conference Committee on Senate amendments to House Bill No. 330:

The Joint Conference Committee appointed to consider Senate amendments to House Bill No. 330, submit the following report:

To the President of the Senate and the Speaker of the House: We, your Joint Conference Committee, appointed to consider and make report on House Bill No. 330, introduced by the Committee on Highways, being: A Bill for an Act entitled: "An Act to amend Section 2382, 2383 and 2392 of the Revised Codes of Montana of 1921, as amended by Chapter 150 of the laws of 1923, and to amend Sections 2384 and 2389 of the Revised Codes of Montana of 1921, all relating to the imposition of the tax on the sale of gasoline, the collection and disposition thereof, and prescribing a penalty for neglect or refusal to furnish statements and to pay the tax," having had the same under consideration, respectfully report and recommend as follows:

First: That the House accept the Senate amendments to Sections 1 and 2 of said bill.

Second: That the Senate recede from its amendment to Section 5, and that said Section 5 be amended to read as follows: Section 5. That Section 2392 of the Revised Codes of Montana of 1921, as amended by Chapter 150 of the laws of 1923, be and the same is hereby amended to read as follows: "Section 2392. Thirty per cent of all money received by the State Treasurer in payment of license taxes under the provisions of this Act shall be deposited by him and credited to the General Fund of the State; Fifteen per cent of all such moneys so received by the State Treasurer, under the provisions of this Act shall be deposited by him and credited to the State Highway fund; and the remaining fifty-five per cent of such money received by said State Treasurer, under the provisions of this Act, shall, at the end of each fiscal year, be pro-rated equally among and be paid over to each of the several counties of the State, to the credit and use of the general road funds, and for the maintenance and construction of highways therein.

STEWART,  
PORTER,  
WUERTHNER,  
H. R. GREEN,  
PETERSON.

Call of the House is demanded, seconded by 15 members.

On roll call the following were absent and not excused: Andrus, Doran, Fox, Graybill, Harris, Hawley, Holt, Johnson (Valley), Kelly, Kinville, Larson (Cascade), Meagher, Merritt, Patterson, Peat, Peterson, Rice, Ryder, White and Zeh.

Moved by Ruffcorn, duly seconded and carried, that further action on call of the House be dispensed with.

Question arising on adoption of report of Conference Committee on House Bill No. 330, report was adopted by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Castles, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgerald, Flachsenhar, Fletcher, Flynn, Gordon, Green, Hanson, Harcastle, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Joffray, Johnson (Fergus),

Johnson (Valley), Keeley, Kelly, Kennedy, Kinville, Larson (Cascade), Larson (Sheridan), Lincoln, Miller, Moriarity, Morris, Mulholland, Murphy, McAfee, McGrath, Nelson, Nelstead, Parkin, Peat, Peterson, Plank, Plumer, Reed, Rice, Ruffcorn, Ryder, Sales, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Stoddard, Strange, Throssel, Tinsley, Troy, Waite, Walker, Walton, White, Woods, Wuerthner, Mr. Speaker. Total—81.

Noes: Graybill, Masters, Moss, Moulton, Nagle, Steeves, Wold. Total—7.

Absent and not voting: Campbell, Caplis, Fitzgarrauld, Fox, Larsen (Sheridan), Leavens, Lemmon, Loble, Meagher, Merritt, McCarty, Patterson, Rupert, Zeh. Total—14.

At the request of Holton, there being no objections, House reverted to Order of Business No. 6:

### MOTIONS AND RESOLUTIONS

Moved by Holton, duly seconded and carried, that House Bill No. 460 be taken from Third Reading and placed on General Orders.

### CONSIDERATION OF GENERAL ORDERS

Moved by Flachsenhar, duly seconded and carried, that House now resolve itself into Committee of the Whole for the consideration of General Orders, as to House Bill No. 460, under the rules of the previous sitting.

Mr. Joffray in the chair.

The committee arose.

Mr. Speaker in the chair.

The Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration Bills on General Orders, respectfully report as follows:

That House Bill No. 460 be amended as follows:

Section 1. By striking out in lines 7 and 8 the words and figures:

Fifty-five Thousand Dollars .....\$55,000.00

and inserting in lieu thereof the words and figures:

Fifty Thousand Dollars .....\$50,000.00

Section 1. By striking out in lines 10 and 11 the words and figures:

Thirty Thousand Dollars .....\$30,000.00

and inserting in lieu thereof the words and figures:

Twenty Thousand Dollars .....\$20,000.00

Section 1. By striking out in lines 12 and 13 the words and figures:

Ninety Thousand Dollars .....\$90,000.00

and inserting in lieu thereof the words and figures:

Seventy-five Thousand Dollars .....\$75,000.00

Section 2. By striking out in lines 7 and 8:

Fifty-five Thousand Dollars .....\$55,000.00

and inserting in lieu thereof:

Fifty Thousand Dollars .....\$50,000.00

Section 2. By striking out in lines 10 and 11:

Thirty Thousand Dollars .....\$30,000.00

and inserting in lieu thereof:

Twenty Thousand Dollars .....\$20,000.00

Section 2. By striking out in lines 12 and 13:

Ninety Thousand Dollars .....\$90,000.00

and inserting in lieu thereof:

Seventy-five Thousand Dollars .....\$75,000.00



Section 5. By striking out all of Section 5.  
And as amended, House Bill No. 460 do pass.

JOFFRAY, Chairman.

On motion of Joffray, report adopted.

There being no objections, House reverted to Order of Business No. 6:

### MOTIONS AND RESOLUTIONS

Moved by Flachsenhar, duly seconded and carried, that House Bill No. 460 be considered correctly engrossed and placed on Third Reading.

### THIRD READING OF HOUSE BILLS

House Bill No. 460, by Appropriations Committee, having been read three several times, second time at length, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Castles, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgerald, Flachsenhar, Fletcher, Flynn, Fox, Gordon, Green, Hanson, Hardcastle, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kennedy, Kinville, Larson (Cascade), Larson (Sheridan), Lincoln, Meagher, Moriarity, Morris, Moss, Moulton, Mulholland, Murphy, McAfee, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Reed, Rice, Ruffcorn, Ryder, Sales, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Stoddard, Strange, Throssel, Tinsley, Troy, Waite, Walker, Walton, White, Woods, Wuerthner, Mr. Speaker. Total—83.

Noes: Graybill, Masters, Miller, Plumer, Steeves. Total—5.

Absent and not voting: Andrus, Campbell, Caplis, Fitzgarrald, Joffray, Larsen (Sheridan), Leavens, Lemmon, Loble, Merritt, McCarty, Rupert, Wold, Zeh. Total—14.

### REPORTS OF SELECT COMMITTEES

The following report was received from Conference Committee on House Bill No. 435:

Mr. Speaker: We, your Joint Conference Committee appointed to consider House Bill No. 435 beg leave to report as follows:

The Senate recedes on the Senate amendment to Section 2.

The Senate recedes from the amendment to Section 2 striking out after the word "it" in line 78, all the remainder of the section.

The House concurs in Senate amendment to Section 4 inserting the word "warden" in lines 4, 7 and 8 instead of the word "Commission," and striking out the words "by it" in line 9.

The Senate recedes from Senate amendment to Section 8 and Section 9, striking the whole thereof.

The Senate recedes from Senate amendments to Section 10, renumbering Section 9 and all remaining sections.

The House concurs in all Senate amendments to Section 16.

The House concurs in Senate amendment to Section 17.

The House concurs in Senate amendments to Section 18.

The House concurs in Senate amendments to Section 22.

The House concurs in Senate amendments to Section 23.

The House concurs in Senate amendments to Section 26.

The House concurs in Senate amendments to Section 27.

The House concurs in Senate amendment to Section 33.

(The section numbers refer to sections of the printed bill).

COOPER, Chairman,  
SALES,  
STODDARD,  
JOHNSON (Valley),  
CHURCH,  
DOWLIN.

The report of the Conference Committee on Senate amendments to House Bill No. 435 was adopted by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Castles, Clarke, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgerald, Flachsenhar, Fletcher, Flynn, Gordon, Graybill, Green, Hanson, Hardcastle, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kinville, Larson (Cascade), Larson (Sheridan), Leavens, Loble, Masters, Miller, Moriarity, Morris, Moulton, Murphy, McCarty, McGrath, Nagle, Nelson, Nelstead, Parkin, Patterson, Peat, Peterson, Plank, Rice, Ruffcorn, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Throssel, Tinsley, Troy, Waite, Walker, Walton, White, Woods, Wuerthner, Mr. Speaker  
Total—79.

Noes: Bergstrom, Cusick, Holton, Kennedy, Lincoln, Moss, McAfee Plumer. Total—8.

Absent and not voting: Caplis, Fitzgarrald, Fox, Larsen (Sheridan), Lemmon, Meagher, Merritt, Mulholland, Reed, Rupert, Ryder, Sales, Strange, Wold, Zeh. Total—15.

Moved by Davis, duly seconded and carried, that House recess subject to call of chair.

House resumed.

Mr. Speaker in the chair.

There being no objections, House reverted to Order of Business No. 7:

#### CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

Moved by White, duly seconded and carried, that messages from Senate be considered read at length and the Journal so show:

The following messages were received from the Senate:

Helena, Montana, March 5, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Finance and Claims recommend that House Bill No. 456 be amended as follows:

By striking out lines 11, 12, 13, 14, 15, 16, 17 and 18 of Section 1, page 2, of the original bill.

That said bill be further amended by striking out the words and figures:

Eight Thousand Eight Hundred and Fifty Dollars.....\$8,850.00  
line 30, page 2, of Section 2, and insert in lieu thereof the words and figures:

Seven Thousand Dollars .....\$7,000.00

That said bill be further amended by striking out lines 16, 17, 18, 19, 20, 21 and 22 of Section 2, page 3, of the original bill.

That said bill be further amended by striking out Section 3 and that the sections be renumbered according.

And as so amended that said bill be concurred in.

Report adopted.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, March 5, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 456 was this day read third time and concurred in as amended, title agreed to, and same is herewith returned to the House for concurrence in Senate amendments.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, March 5, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Finance and Claims recommend that House Bill No. 461 be amended as follows:

Amend by adding the following words at the end of Section 1 of that bill, "provided, however, that before the above described tract of land is purchased, the State Board of Examiners shall examine the same and determine whether the purchase thereof is necessary, and if in their judgment they find that the purchase of said tract of land is necessary they are hereby authorized to purchase the same, in an amount not to exceed the above named sum." And that the punctuation of said bill be amended according.

And as so amended that said bill be concurred in.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, March 5, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 461 was this day read third time and concurred in, as amended, title agreed to, and same is herewith returned to the House for concurrence in Senate amendments.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, March 5, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Finance and Claims recommend that House Bill No. 449 be amended as follows:

Amend by striking out lines 15, 16, 17, 18, 19, 20 of the original bill on page 1.

And as so amended the bill be concurred in.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, March 5, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 449 was this day read third time and concurred in as amended, title agreed to, and same is herewith returned to the House for concurrence in Senate amendments.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, March 5, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that, on motion duly made and seconded, the Senate refuses to accept House Bill No. 448, introduced by Committee on Appropriations, for the reason that there are so many amendments attached thereto it is impossible for the Committee on Finance and Claims to intelligently consider same and ask that the bill be properly engrossed.

Respectfully,

J. F. CONE, Secretary of Senate.



Helena, Montana, March 5, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 353 was this day read third time and concurred in, title agreed to, and same is herewith returned to the House.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, March 5, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Finance and Claims report that House Bill No. 450 be amended as follows:

Amend by striking out the words and figures "Fifty-eight Thousand Five Hundred Dollars" in lines 22 and 23, Section 1, of the original bill, and inserting in lieu thereof the words and figures "Fifty-five Thousand Dollars."

Amend by striking out the words and figures "Fifty-eight Thousand Five Hundred Dollars" of Section 2, line 11, page 2, of the original bill and insert in lieu thereof the words and figures "Fifty-five Thousand Dollars."

Amend by striking out lines 24, 25, 26 of Section 1, page 1, of the original bill, and, as amended, it be concurred in.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, March 5, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 450 was this day read third time and concurred in as amended, title agreed to, and same is herewith returned to the House for concurrence in Senate amendments.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, March 5, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Finance and Claims, having had under consideration House Bill No. 459, introduced by Committee on Appropriations, report and recommend that same be not concurred in and bill is herewith returned to the House.

Respectfully,

J. F. CONE, Secretary of Senate.

#### CONSIDERATION OF GENERAL ORDERS

Moved by Ruffcorn, duly seconded and carried, that House now resolve itself into Committee of the Whole for Consideration of General Orders under the rules of the previous sitting.

Mr. Joffray in the chair.

The committee arose.

Mr. Speaker in the chair.

The Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration Bills on General Orders, respectfully report as follows: That

House Bill No. 449—Senate amendments be not concurred in and a conference committee be requested.

House Bill No. 450—Senate amendments be not concurred in and a conference committee be requested.

House Bill No. 456—Senate amendments be not concurred in and a conference committee be requested.

House Bill No. 461—Senate amendments be concurred in.

JOFFRAY, Chairman.

On motion of Joffray, report adopted.

The Speaker announced the members of Conference Committees as follows:

On House Bill No. 449: Donaldson of Choteau, Ainsworth of Sanders, Joffray of Jefferson.

On House Bill No. 450: Fairgrieve of Carbon, Smith of Beaverhead, Nagle of Lewis and Clark.

On House Bill No. 456: Fitzgarrald of Ravalli, Andrus of Custer, Kinville of Silver Bow.

House Bill No. 448, after being properly engrossed, was returned to the Senate for its consideration.

Moved by Ruffcorn, duly seconded and carried, that House recess for 11 hours.

House resumed.

Mr. Speaker in the chair.

The Speaker gave notice to the House that he was about to sign House Bills Nos. 436, 384, 395, 385, 243, Substitute House Bill No. 163, House Bills Nos. 454, 277, 335, 229 and 86, and thereupon signed the same.

With the consent of the House, Nelstead was excused for the rest of the session, and Tinsley for a few hours.

### CONSIDERATION OF MESSAGES FROM THE SENATE

The following message was received from the Senate:

Helena, Montana, March 5, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body, that on motion duly made and seconded, the Senate requests the recall of House Bill No. 459 for further consideration.

Respectfully,

J. F. CONE, Secretary of Senate.

There being no objections, House reverted to Order of Business No. 6:

### MOTIONS AND RESOLUTIONS

Moved by Flachsenhar, duly seconded and carried, that request of Senate for return of House Bill No. 459 be granted.

### REPORTS OF SELECT COMMITTEES

The following report was received from Conference Committee:

Mr. Speaker: We, your Joint Conference Committee on House Bill No. 457, introduced by Appropriations Committee: A Bill for an Act entitled: "An Act appropriating money for the horticultural revolving fund, for the Fish and Game Commission; for the administration of motor vehicle license laws; for the State Board of Hail Insurance and for fire and burglary insurance," beg leave to recommend as follows:

That the Senate recede from its amendment to Section 1.

That all of Section 2 be stricken.

That the House concur in Senate amendments to Section 3.

That Section 3 be amended by adding at the end of said section, after the figures "1926" the following: "Provided, however, that not more than Four Thousand Dollars (\$4,000.00) shall be expended prior to January 1st, 1926."

That the House concur in the Senate amendments to Section 4, Section 9 and Section 10.

That the sections be renumbered to correspond with the amendments submitted.

KANE,  
RALPH R. TOWER,  
WATSON,  
REED,  
TINSLEY,  
McAFEE,

The above report was adopted by the following vote:

Ayes: Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Clarke, Cusick, Davis, Dellwo, Doran, Duncan, Eaton, Fitzgerald, Flachsenhar, Fletcher, Flynn, Fox, Graybill, Hardcastle, Harris, Hawley, Hedrick, Holt, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kennedy, Kinville, Larson (Cascade), Larson (Sheridan), Merritt, Morris, Moss, Moulton, Mulholland, Murphy, McGrath, Nagle, Parkin, Patterson, Peat, Plank, Reed, Rice, Ruffcorn, Ryder, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Throssel, Tinsley, Troy, Waite, Walton, Wold, Woods, Wuerthner, Mr. Speaker. Total—65.

Noes: None.

Absent and not voting: Ainsworth, Campbell, Caplis, Castles, Donaldson, Fairgrieve, Fitzgarrald, Gordon, Green, Hanson, Higham, Hoffman, Holton, Joffray, Larsen (Sheridan), Leavens, Lemmon, Lincoln, Loble, Masters, Meagher, Miller, Moriarity, McAfee, McCarty, Nelson, Nelstead, Peterson, Plumer, Rupert, Sales, Schoening, Shields, Strange, Walker, White, Zeh. Total—37.

The Enrolling Committee reported as follows:

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bill correctly enrolled:

House Bill No. 353.

W. T. WAITE, Vice-Chairman.

The Speaker gave notice to the House that he was about to sign House Bill No. 353, Senate Bill No. 86 and Senate Bill No. 114, and thereupon signed the same.

There being no objections, House reverted to Order of Business N. 6:

## MOTIONS AND RESOLUTIONS

Moved by Moss, duly seconded and carried, that, out of respect to former Senator W. A. Clarke, the House stand for a few minutes in silence in honor to one of the great characters in the upbuilding of Montana.

## REPORTS OF SELECT COMMITTEES

The following report was received from Conference Committee:

Mr. President and Mr. Speaker: We, your Joint Conference Committee on House Bill No. 449, introduced by the Committee on Appropriations, recommend that the House concur in the Senate amendment.

SPEER,  
CLARK,  
LEUTHOLD,  
JOFFRAY,  
DONALDSON,  
AINSWORTH.

The above report was adopted by the following vote:

Ayes: Ainsworth, Anderson, Besancon, Brandt, Budas, Clarke, Cusick, Dellwo, Donaldson, Doran, Duncan, Eaton, Fitzgarrald, Fitzgerald, Flachsenhar, Flynn, Gordon, Graybill, Hanson, Hardcastle, Harris, Hawley, Hedrick, Holt, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kelly,



Kennedy, Kinville, Larson (Sheridan), Leavens, Lemmon, Lincoln, Masters, Meagher, Merritt, Miller, Moriarity, Morris, Moss, Murphy, McAfee, McCarty, McGrath, Nagle, Nelson, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Reed, Rice, Ruffcorn, Rupert, Ryder, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Strange, Throssel, Troy, Waite, Walton, White, Woods, Mr. Speaker. Total—72.

Noes: None.

Absent and not voting: Akofer, Andrus, Beadle, Bergstrom, Berryman, Burns, Campbell, Caplis, Castles, Davis, Fairgrieve, Fletcher, Fox, Green, Higham, Hoffman, Holton, Larson (Cascade), Larsen (Sheridan), Loble, Moulton, Mulholland, Nelstead, Sales, Stoddard, Tinsley, Walker, Wold, Wuerthner, Zeh. Total—30.

The enrolling Committee reported as follows:

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled:

House Bills Nos. 330, 219, 461 and 299.

WAITE, Vice-Chairman.

The Speaker gave notice to the House that he was about to sign House Bills Nos. 330, 219, 461, and 299, and thereupon signed the same.

The following report was received from a Conference Committee:

Mr. President and Mr. Speaker: We, your Conference Committee, having had under consideration House Bill No. 278, being: A Bill for an Act entitled: "An Act to create a Banking and Building and Loan Association Code Committee and prescribe its powers and duties and making appropriations therefor," beg leave to report and recommend as follows:

That the Conference Committee agrees that the House concur in the Senate amendment to Section 1; and that the Senate recede from the Senate amendment to Section 2; and that the Senate recede from the Senate amendment to Section 3.

That the Senate recede from Senate amendment to Section 4 relative to the renumbering of the section, and that the House concur in the Senate amendment to Section 4, which provides as follows: "That nothing in this Act shall authorize such commission to travel or hold meetings outside of the State of Montana."

That the Senate recede from the Senate amendment to Section 5.

That the Senate recede from Senate amendment of Section 6.

That the Senate recede from their amendment to Section 7, and recommend that in lieu thereof, that the words and figures "Seven Thousand Dollars (\$7,000.00)" be stricken from the printed bill, and insert in lieu therefor the words and figures "Four Thousand Dollars (\$4,000.00)."

That the Senate recede from the Senate amendment to Section 8.

That the Senate recede from the Senate amendment to Section 9 of the printed bill, and also recede from Senate amendment to Section 10 of the printed bill.

FITZGARRALD (Ravalli),  
LEAVENS,  
LOBLE,  
HENDERSON,  
DELL.  
McCORMACK.

The above report was adopted by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Bergstrom, Besancon, Brandt, Budas, Castles, Clarke, Cusick, Davis, Dellwo, Doran, Duncan, Donaldson, Eaton, Fitzgarrald, Fitzgerald, Flachsenhar, Fox, Gordon, Gravbill, Hanson, Harcastle, Harris, Hawley, Hedrick, Hoffman, Holt, Joffray, Johnson (Fergus), Keelev, Kelly, Kennedy, Kinville, Leavens, Lemmon, Lincoln, Loble, Masters, Meagher, Merritt, Miller, Moriarity, Morris, Moss,

Murphy, McAfee, McCarty, McGrath, Nagle, Nelson, Parkin, Patterson, Peat, Peterson, Plank, Reed, Rice, Ruffcorn, Rupert, Ryder, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Troy, Waite, Walker, Walton, White, Woods, Mr. Speaker. Total—78.

Noes: Berryman, Plumer. Total—2.

Absent and not voting: Beadle, Burns, Campbell, Caplis, Fairgrieve, Fletcher, Flynn, Green, Higham, Holton, Johnson (Valley), Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Moulton, Mulholland, Nestead, Sales, Tinsley, Wold, Wuerthner, Zeh. Total—22.

There being no objections, House reverted to Order of Business No. 6:

### MOTIONS AND RESOLUTIONS

The following resolution was presented by the Employment Committee:

Helena, Montana, March 5, 1925.

Be It Resolved, by the Nineteenth Legislative Assembly, That the payment of one day's pay be authorized to employes hereinafter mentioned, to be effective at the close of the session of the Nineteenth Assembly.

The resolution to apply to all employees working the last day of the session.

Resolved, That the Chief Clerk of the House be authorized to certify such payroll to the State Auditor for payment from the appropriation for incidental expenses of the House of Representatives, Nineteenth Assembly.

DAVIS, Chairman, Employment Committee.

On motion of Davis, resolution adopted.

### CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Finance and Claims report that House Bill No. 458 be amended as follows:

Strike out the words and figures in line 13, page 1, of Section 1 of the original bill "Ten Thousand Six Hundred Twenty-five Dollars (\$10,625.00)" and insert in lieu thereof the words and figures "Nine Thousand Dollars (\$9,000.00)."

Amend by striking out the words and figures in line 23, page 1, of Section 2, of the original bill "Ten Thousand Six Hundred Twenty-five Dollars (\$10,625.00)" and insert in lieu thereof the words and figures "Nine Thousand Dollars (\$9,000.00)."

And, as amended, it be concurred in.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, March 5, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 458, introduced by Committee on Appropriations, was this day read three several times, title agreed to, concurred in as amended, and is herewith returned to the House for concurrence in Senate amendments.

Respectfully,

J. F. CONE, Secretary of Senate.

Moved by Hanson, duly seconded and carried, that House now take up Order of Business No. 10:

## CONSIDERATION OF GENERAL ORDERS

Moved by Hanson, duly seconded and carried, that House resolve itself into Committee of the Whole for Consideration of General Orders under the rules of the previous sitting.

Mr. Nagle in the chair.

The committee arose.

Mr. Speaker in the chair.

The Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration Bills on General Orders, respectfully report as follows: That House Bill No. 458—Senate amendments be concurred in.

NAGLE, Chairman.

On motion of Nagle, report adopted.

There being no objections, House reverted to Order of Business No. 6:

## MOTIONS AND RESOLUTIONS

Moved by Flachsenhar, duly seconded and carried, that House Bill No. 458 be considered correctly engrossed and placed on Third Reading.

## THIRD READING OF HOUSE BILLS

House Bill No. 458, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Campbell, Castles, Clarke, Cusick, Davis, Dellwo, Doran, Duncan, Eaton, Fairgrieve, Fitzgerald, Flachsenhar, Flynn, Gordon, Graybill, Green, Hanson, Hardcastle, Hawley, Hedrick, Hoffman, Holt, Joffray, Keeley, Kelly, Kennedy, Kinville, Leavens, Lemmon, Lincoln, Loble, Masters, Merritt, Miller, Moriarity, Morris, Moss, Moulton, Murphy, McGrath, Nagle, Nelson, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Reed, Rice, Ryder, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Walker, Walton, White, Wuerthner, Zeh, Mr. Speaker. Total—74.

Noes: None.

Absent and not voting: Burns, Caplis, Donaldson, Fitzgarrald, Fletcher, Fox, Harris, Higham, Holton, Johnson (Fergus), Johnson (Valley), Larson (Cascade), Larsen (Sheridan), Larson (Sheridan), Meagher, Mulholland, McAfee, McCarty, Nelstead, Ruffcorn, Rupert, Sales, Shields, Tinsley, Troy, Waite, Wold, Woods. Total—28.

## REPORTS OF SELECT COMMITTEES

Mr. Speaker: We, your Joint Conference Committee, having had under consideration House Bill No. 126, introduced by Akofer, being: A Bill for an Act entitled: "An Act to amend Section 270, Chapter 18, Revised Codes of Montana, 1921; authorizing State Board of Examiners to invest special funds in General fund warrants," beg leave to report that the House concurs in Senate amendment striking out the comma after the word "bond" in line 15 of the original bill and Senate recedes from all other Senate amendments to said bill.

COOPER,  
McCORMICK,  
PAULINE,  
CAMPBELL,  
SALES,  
STODDARD.



The above report was adopted by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Andrus, Beadle, Berryman, Besancon, Brandt, Budas, Campbell, Castles, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgerald, Flachsenhar, Fletcher, Flynn, Gordon, Graybill, Green, Hanson, Hardcastle, Hawley, Hedrick, Higham, Hoffman, Joffray, Johnson (Fergus), Kennedy, Kinville, Larson (Sheridan), Leavens, Lemmon, Loble, Masters, Meagher, Merritt, Miller, Moriarity, Morris, Moss, Moulton, Murphy, McGrath, Nagle, Nelson, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Reed, Rice, Ruffcorn, Rupert, Ryder, Sales, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Strange, Throssel, Walker, Walton, White, Woods, Wuerthner, Zeh, Kelly, Mr. Speaker. Total—81.

Noes: None.

Absent and not voting: Bergstrom, Burns, Caplis, Fitzgarrald, Fox, Harris, Holt, Holton, Johnson (Valley), Keeley, Larson (Cascade), Larsen (Sheridan), Lincoln, Mulholland, McAfee, McCarty, Nelstead, Tinsley, Troy, Waite, Wold. Total—21.

Moved by Kinville, duly seconded and carried, that House be at ease subject to call of chair.

House resumed.

Mr. Speaker in the chair.

## REPORTS OF SELECT COMMITTEES

The following report was received from Conference Committee:

Mr. President and Mr. Speaker: We, the joint committee appointed to consider Senate amendments to House Bill No. 450, introduced by Committee on Appropriations, being: A Bill for an Act entitled: "An Act appropriating money for the operation and maintenance of the Industrial Accident Board, for the per diem and expenses of the Board of Coal Mine Examiners and for the operation, maintenance and payment of training expenses of the work of vocational rehabilitation."

To amend by striking Senate amendment and figures \$55,000.00 (Fifty-five Thousand Dollars) in lines 22 and 23 of Section 1 of the original bill, and inserting in lieu thereof the words and figures \$54,500. And the Senate recede from the amendment to the lines 24, 25, 26, Section 1, page 1, to remain as originally written, as both words and figures \$500. (Five Hundred Dollars).

Section 2. Amend Senate amendment by striking out words and figures \$55,000 (Fifty-five Thousand Dollars) of Section 2 line 11, page 2, of the original bill and insert in lieu thereof the words and figures \$54,500 (Fifty-four Thousand Five Hundred Dollars).

And as so amended, recommend that the bill be concurred in.

FAIRGRIEVE (ALEX),  
PEARL SMITH,  
R. T. NAGLE,  
MUFLY,  
STEWART,  
LEUTHOLD.

The above report from the Conference Committee was adopted by the following vote:

Ayes: Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Brandt, Budas, Burns, Campbell, Castles, Clarke, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgerald, Flachsenhar, Fletcher, Gordon, Graybill, Green, Hanson, Hardcastle, Harris, Hawley, Hedrick, Higham, Hoffman, Johnson (Fergus), Kelly, Kennedy, Kinville, Larson (Sheridan), Meagher, Merritt, Miller, Moriarity, Morris, Moss, Moulton, Murphy, McAfee, McCarty, McGrath, Nagle, Parkin, Peat, Peterson, Plank, Ruffcorn, Rupert, Sales, Schoening, Shields, Smith (Lewis and

Clark), Smith (Beaverhead), Steeves, Throssel, Walker, Walton, White, Wold, Woods, Wuerthner, Zeh, Mr. Speaker. Total—70.

Noes: None.

Absent and not voting: Ainsworth, Besancon, Caplis, Cusick, Fitzgarrald, Flynn, Fox, Holt, Holton, Joffray, Johnson (Valley), Keeley, Larson (Cascade), Larsen (Sheridan), Leavens, Lemmon, Lincoln, Loble, Masters, Mulholland, Nelson, Nelstead, Patterson, Plumer, Rice, Ryder, Stoddard, Strange, Tinsley, Troy, Waite, Reed. Total—32.

The Committee on Enrolling reported as follows:

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled:

House Bills Nos. 242 and 455.

WAITE, Vice-Chairman.

The Speaker gave notice to the House that he was about to sign House Bills Nos. 455 and 242 and thereupon signed the same.

There being no objections, House reverted to Order of Business No. 6:

### MOTIONS AND RESOLUTIONS

Moved by Flachsenhar, duly seconded and carried, that House reconsider its action on House Bill No. 458.

Moved by Flachsenhar, duly seconded and carried, that House Bill No. 458 be recalled from Enrolling and placed on General Orders.

### REPORTS OF SELECT COMMITTEES

The following report was received from Conference Committee:

Helena, Montana, March 5, 1925.

To the President of the Senate and the Speaker of the House: We, your Conference Committee on House Bill No. 456, being: A Bill for an Act entitled: "An Act appropriating money for the maintenance of certain State departments and for the payment of certain obligations incurred by the State of Montana," beg leave to report and recommend that the House concur in the Senate amendment striking out lines 11, 12, 13, 14 and 15 of the original bill.

That the Senate recede from its amendment striking out lines 16, 17 and 18 of the original bill and change the words and figures "Eleven Thousand Four Hundred Thirty-three Dollars Six Cents (\$11,433.06)" to read "Five Thousand One Hundred Four Dollars Fifty-six Cents (\$5,104.56)" and that the House concur in the balance of the Senate amendments.

W. K. ADAMS,

LEUTHOLD,

W. R. CHURCH,

Senate Conference Committee.

FITZGARRALD (Ravalli),

ANDRUS,

KINVILLE,

House Conference Committee.

The above report was adopted by the following vote:

Ayes: Ainsworth, Akofer, Anderson, Beadle, Berryman, Besancon, Brandt, Castles, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Fairgrieve, Fitzgerald, Fitzgarrald, Flachsenhar, Fletcher, Flynn, Green, Hanson, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Holton, Johnson (Fergus), Johnson (Valley), Kelly, Kennedy, Kinville, Larson (Cascade), Leavens, Lincoln, Loble, Masters, Merritt, Miller, Moriarity, Morris, Moulton, Mulholland, Murphy, McCarty, McGrath, Nagle, Nelson, Parkin, Patterson, Peat, Peterson, Plumer, Ruffcorn, Rupert, Ryder, Smith

(Beaverhead), Throssel, Walton, White, Wold, Woods, Wuerthner, Mr. Speaker. Total—67.

Noes: None.

Absent and not voting: Andrus, Bergstrom, Budas, Burns, Campbell, Caplis, Eaton, Fox, Gordon, Graybill, Hardcastle, Joffray, Keeley, Larsen (Sheridan), Lemmon, Meagher, Moss, McAfee, Nelstead, Plank, Reed, Rice, Sales, Schoening, Shields, Smith (Lewis and Clark), Steeves, Stoddard, Strange, Tinsley, Troy, Waite, Walker, Zeh, Larson (Sheridan). Total—35.

### CONSIDERATION OF GENERAL ORDERS

Moved by Flachsenhar, duly seconded and carried, that House resolve itself into Committee of the Whole for Consideration of General Orders in respect to House Bill No. 458.

Mr. Nelson in the chair.

The committee arose.

Mr. Speaker in the chair.

The Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration Bills on General Orders, respectfully report as follows: That

House Bill No. 458—Senate amendments be not concurred in and a conference committee be requested.

NELSON, Chairman.

On motion of Nelson, report adopted.

The Speaker appointed the following Conference Committee to consider Senate amendments to House Bill No. 458: Flachsenhar of Prairie, Holt of Cascade, Murphy of Deer Lodge.

Moved by Kinville, duly seconded and carried, that House recess subject to call of chair.

House resumed.

Mr. Speaker in the chair.

The Enrolling Committee reported as follows:

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled:

House Bill No. 169 and No. 449.

McAFEE, Chairman.

### CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

The following messages were received from the Senate:

Helena, Montana, March 5, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Finance and Claims report that House Bill No. 452 be amended as follows:

By striking out the words and figures "Fifteen Hundred Dollars (\$1500)" in line 26, Section 1, page, 1 of the original bill and inserting in lieu thereof the words and figures "One Thousand Dollars (\$1,000)."

That Section 1 be further amended by striking out the words and figures "One Hundred Seventy Thousand Dollars (\$170,000)" in line 9, page 2 of the original bill and insert in lieu thereof the words and figures "One Hundred Sixty Thousand Dollars (\$160,000);" and in addition thereto and additional sum of "Fifteen Thousand Dollars (\$15,000) to be used for the purpose of purchasing farm lands and other real property for the use of the Montana State Prison at Deer Lodge, Montana, provided however, that the State Board of Examiners shall examine the farm lands or other real property to be purchased and determine the necessity for such purchase,



and if in their judgment it is to the best interest of the State of Montana to purchase said farm land or other real property for the use and benefit of the Montana State Prison, they are hereby authorized to do so, and for that purpose may enter into such contracts as shall be necessary for the purchase of said farm lands or other real property as in their judgment shall be to the best interest of the State of Montana."

That Section 1 of said bill be further amended by striking out the words and figures "Thirty-one Thousand Dollars (\$31,000)" at line 31, page 1 of the original bill and inserting in lieu thereof the words and figures "Twenty-eight Thousand Dollars (\$28,000)."

That Section 1 of said bill be further amended at line 17, page 2 of the original bill by striking out the words and figures "Sixty-five Thousand Dollars (\$65,000)" and inserting in lieu thereof the words and figures "Seventy-one Thousand Dollars (\$71,000)." That in addition to the foregoing there is hereby appropriated out of any unexpended portion of the money in the State Treasury theretofore appropriated for the fiscal year ending June 30, 1925, for the purpose of constructing an additional unit to the heating plant and for the construction of needed improvements in the water system at the Montana State Tuberculosis Sanitarium, provided however, that before an additional unit to said heating plant, or construction of improvements in the said water system shall be instituted, that the State Board of Examiners shall first determine the necessity of the improvement, and if in their judgment these improvements are necessary then this provision shall be effective, and not otherwise."

That said bill be further amended at Section 2 thereof, page 2, line 9, by striking out the words and figures "Thirty-one Thousand Dollars (\$31,000)" and inserting in lieu thereof the words and figures "Twenty-eight Thousand Dollars (\$28,000)."

That said Section 2 be further amended at line 17 thereof, page 3 of the original bill by striking out the words and figures "One Hundred Seventy Thousand Dollars (\$170,000)" and inserting in lieu thereof the words and figures "One Hundred Sixty Thousand Dollars (\$160,000)" and adding the following: "For the payments of installment of contracts for the purchase of lands or other real property for the use of the State prison Ten Thousand Dollars."

That section 2 be further amended at line 26, page 3 of the original bill by striking out the words and figures "Sixty-five Thousand Dollars (\$65,000)" and inserting in lieu thereof the words and figures "Seventy-one Thousand Dollars (\$71,000)."

And as so amended that said bill be concurred in.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, March 5, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 452 was this day read third time and concurred in as amended, title agreed to, and same is herewith returned to the House for concurrence in Senate amendments.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, March 5, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that, on motion duly made and seconded, the President appointed the following Senators as a Conference Committee to act with a like committee from the House for further consideration of Senate amendments to House Bill No. 458: Cowan, Clark, and Oliver.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, March 5, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that, on roll call, the report of the Conference Committee on House Bill No. 456 was by the Senate rejected.

Respectfully,

J. F. CONE, Secretary of Senate.

There being no objections, House reverted to Order of Business No. 4:

#### REPORTS OF STANDING COMMITTEES

The following report was received from Judiciary Committee:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Resolution No. 4, introduced by Keeley, respectfully report as follows: That House Resolution No. 4 do not pass.

BURNS, Chairman.

Moved by Burns, duly seconded, that report be adopted.

Moved by Graybill, as substitute motion, duly seconded, that House Resolution No. 4 be printed and placed on General Orders.

Moved by Flachsenhar, as substitute motion for all motions pending, duly seconded, that motion to print and place on General Orders, be laid on the table.

Question arising on motion to table, same carried.

#### CONSIDERATION OF GENERAL ORDERS

Moved by Davis, duly seconded and carried, that House resolve itself into Committee of the Whole for Consideration of General Orders under the rules of the previous sitting.

Mr. Nelson in the chair.

The committee arose.

Mr. Speaker in the chair.

The Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration Bills on General Orders, respectfully report as follows: That

House Bill No. 452—Senate amendments be not concurred in and a Conference Committee be requested.

NELSON, Chairman.

On motion of Nelson, report adopted.

The Speaker named the following Conference Committee to consider Senate amendments to House Bill No. 452: Wold of Yellowstone, Donaldson of Choteua, McCarty of Dawson.

#### CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

The following communication was received from the Senate:

Helena, Montana, March 5, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 459, introduced by Committee on Appropriations, in Committee of the Whole, was rejected on account of objection being raised to incorrectness in history. On motion, duly made and seconded, action was indefinitely postponed and bill is herewith returned to the House.

Respectfully,

J. F. CONE, Secretary of Senate.

The Speaker gave notice that he was about to sign House Bills Nos. 169 and 449, and thereupon signed the same respectively.

## COMMUNICATIONS AND PETITIONS

The following communication was received from the Employment Committee:

The following are the 1923 legislative costs itemized:

## SENATE

Per diem .....	\$32,400.00	
Mileage .....	2,866.58	
Employees .....	19,917.00	
Total .....		\$55,183.58

## HOUSE

Per diem .....	\$58,940.00	
Mileage .....	4,553.00	
Employees .....	22,013.00	
Total .....		\$85,506.00

Total for Senate and House .....	\$140,689.58
Incidental costs .....	30,261.73

Total .....	\$170,951.31
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Included in the above total is an item of \$3,512.53, which expense was incurred in the Secretary of State's office in connection with the 1923 legislature and is properly chargeable to it.

Cost of the 1925 legislature to date:

## SENATE

Per diem and mileage .....	\$38,755.50	
Senate attaches .....	18,531.00	
Total .....		\$57,286.50

## HOUSE

Per diem and mileage .....	\$65,480.90	
House Attaches .....	25,091.00	

Total .....	\$90,571.90
Incidental expenses estimated at the same amount as 1923 .....	30,261.73
Estimated expense for attaches after adjournment..	\$2,000.00

Total .....	\$122,833.63
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Number of attaches for 1925 for the House.....	77
Number of attaches for 1925 for the Senate.....	51

Total .....	128
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## SENATE

Total cost of Senate attaches, \$18,531.00, which divided by 56 shows an average cost per Senate member of \$330.91.

## HOUSE

Total cost of House attaches, \$25,091.50, which divided by 102 shows an average cost per House member of \$245.99, or a difference between the per Senate member cost and per House member cost of \$84.92.



A comparison of the relative costs for attaches in the Senate and in the House on a basis of bills or items handled shows the following:

HOUSE

House bills .....	462
House resolutions .....	5
House joint resolutions .....	10
House joint memorials .....	4
House memorials .....	4
	<hr/>
	485

Dividing \$25,091.50 by 485 shows an average cost per item handled in the House of \$52.10.

SENATE

Senate bills .....	184
Senate joint resolution .....	10
Senate resolutions .....	7
Senate memorials .....	1
	<hr/>
	202

Dividing \$18,531.00 by 202 shows an average cost per item handled in the Senate of \$91.73.

In 1923 at the end of the second week of the session 89 bills had been introduced, whereas at the end of the second week of the 1925 legislature there were 168 bills introduced.

Then too it will be remembered that in 1923 that 180 bills died on the board and this year no measure met a similar fate, our board having been cleared on the 60th day and all measures were disposed of by action of the House.

REPORTS OF SELECT COMMITTEES

The following report was received from Conference Committee:

Mr. President and Mr. Speaker: We, your Joint Conference Committee, having had under consideration Senate amendments to House Bill No. 458 respectfully report as follows:

That the Senate recede from its amendment to Section 1 and Section 2 of said bill, and that the bill be concurred in in its original form.

FLACHSENHAR,  
HOLT,  
MURPHY,

For the House.

COWAN,  
CLARK,  
OLIVER,

For the Senate.

The above report was adopted by the following vote:

Ayes: Akofer, Anderson, Berryman, Besancon, Brandt, Budas, Burns, Castles, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Flachsenhar, Flynn, Gordon, Graybill, Green, Hanson, Harris, Hawley, Hedrick, Higham, Hoffman, Holt, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kennedy, Larson (Cascade), Larson (Sheridan), Leavens, Lincoln, Masters, Merritt, Miller, Moriarity, Morris, Moss, Moulton, Murphy, McAfee, McCarty, McGrath, Nagle, Nelson, Parkin, Patterson, Peat, Peterson, Plank, Plumer, Ruffcorn, Rupert, Ryder, Sales, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Throssel, Waite, Walker, Walton, White, Wold, Woods, Wuerthner, Mr. Speaker. Total—74.

Noes: Beadle, Fitzgerald, Hardcastle, Mulholland. Total—4.

Absent and not voting: Ainsworth, Andrus, Bergstrom, Campbell, Caplis, Eaton, Fairgrieve, Fitzgarrald, Fletcher, Fox, Holton, Joffray, Kinville, Larsen (Sheridan), Lemmon, Loble, Meagher, Nelstead, Reed, Rice, Strange, Tinsley, Troy, Zeh. Total—24.

## CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

The following messages were received from the Senate:

Helena, Montana, March 5, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Finance and Claims recommend that House Bill No. 451 be amended as follows:

That Section 1 be amended at line 13, page 1 of the original bill by striking out the words and figures "Ninety-one Thousand Nine Hundred Ninety-five Dollars (\$91,995)" and inserting in lieu thereof the words and figures "Seventy Thousand One Hundred Fifty-three Dollars (\$70,153)."

That said bill be further amended by striking out at line 16, Section 1, page 1 of the original bill the words and figures "Three Thousand Seven Hundred Fifty-five Dollars (\$3,755)" and inserting in lieu thereof the words and figures "Two Thousand Eight Hundred Eighty-four Dollars (\$2,884)."

Further amend said bill at line 20, Section 1, page 1 of the original bill by striking out the words and figures "Eleven Thousand Seven Hundred Fifty Dollars (\$11,750)" and inserting in lieu thereof the words and figures "Nine Thousand Twenty-four Dollars (\$9,024)."

Further amend said bill at line 23, Section 1, page 1 of the original bill by striking out the words and figures "Five Thousand Six Hundred Dollars (\$5,600)" and inserting in lieu thereof the words and figures "Four Thousand Three Hundred One Dollars (\$4,301)."

Further amend said bill at line 27, Section 1, page 1 by striking out the words and figures "Twenty-five Hundred Dollars (\$2500)" and inserting in lieu thereof the words and figures "Nineteen Hundred Twenty Dollars (\$1920)."

Further amend said bill at line 30, page 1, Section 1 of the original bill by striking out the words and figures "Eleven Thousand Four Hundred Dollars (\$11,400)" and insert in lieu thereof the words and figures "Eight Thousand Seven Hundred Fifty-six Dollars (\$8,756)."

That said bill be further amended on the last line of page 1, Section 1 of the original bill by striking out the words and figures "Seventeen Thousand Six Hundred Dollars (\$17,600)" and inserting in lieu thereof the words and figures "Thirteen Thousand Five Hundred Seventeen Dollars (\$13,517)."

That said bill be further amended in Section 1 at line 3, page 2 of the original bill by striking out the words and figures "One Thousand Dollars (\$1000)" and inserting in lieu thereof the words and figures "Seven Hundred Sixty-eight Dollars (\$768)."

That said bill be further amended at line 8, page 2 of Section 1 of the original bill by striking out the words and figures "Ninety-two Thousand Eight Hundred Ten Dollars (\$92,810)" and inserting in lieu thereof the words and figures "Seventy Thousand Nine Hundred Seventy Dollars (\$70,970)."

That said bill be further amended in Section 2 at line 19, page 2 of the original bill by striking out the words and figures "Eighty-nine Thousand Seven Hundred Twenty Dollars (\$89,720)" and inserting in lieu thereof the words and figures "Seventy Thousand One Hundred Fifty-three Dollars (\$70,153)."

That said bill be further amended in Section 2, page 2, line 22 of the original bill by striking out the words and figures "Three Thousand Seven Hundred Fifteen Dollars (\$3,715)" and inserting in lieu thereof the words and figures "Two Thousand Eight Hundred Eighty-four Dollars (\$2,884)."

That said bill be further amended in Section 2, page 2, line 25 of the original bill by striking out the words and figures "Eleven Thousand Six Hundred Fifty Dollars (\$11,650)" and inserting in lieu thereof the words and figures "Nine Thousand Twenty-four Dollars (\$9,024)."

That said bill be further amended in Section 2, page 2, line 28 of the original bill by striking out the words and figures "Five Thousand Six Hundred Dollars (\$5,600)" and inserting in lieu thereof the words and figures "Four Thousand Three Hundred One Dollars (\$4,301)."

That said bill be further amended in Section 2, page 2, line 31 of the original bill by striking out the words and figures "Two Thousand Five Hundred Dollars (\$2,500)" and inserting in lieu thereof the words and figures "Nineteen Hundred Twenty Dollars (\$1,920)."

That said bill be further amended in Section 2, page 2, on the last line of the original bill by striking out the words and figures "Eleven Thousand Seven Hundred Dollars (\$11,700)" and inserting in lieu thereof the words and figures "Eighty-seven Hundred Fifty-six Dollars (\$8,756)."

That said bill be further amended in Section 2, page 3, line 3 of the original bill by striking out the words and figures "Sixteen Thousand Three Hundred Dollars (\$16,300)" and inserting in lieu thereof the words and figures "Thirteen Thousand Five Hundred Seventeen Dollars (\$13,517)."

That said bill be further amended in Section 2, page 3, line 6 of the original bill by striking out the words and figures "One Thousand Two Hundred Dollars (\$1,200)" and inserting in lieu thereof the words and figures "Seven Hundred Sixty-eight Dollars (\$768)."

That said bill be further amended in Section 2, page 3, line 10 of the original bill by striking out the words and figures "Ninety-seven Thousand Two Hundred Ten Dollars (\$97,210.00)" and inserting in lieu thereof the words and figures "Seventy Thousand Nine Hundred Seventy Dollars (\$70,970)."

And as so amended that said bill be concurred in.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, March 5, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 451 was this day read third time and concurred in as amended, title agreed to, and same is herewith returned to the House for concurrence in Senate amendments.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, March 5, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Finance and Claims, having had under consideration, recommend that House Bill No. 453 be amended as follows:

That said bill be amended by striking out the House amendment at line 18, Section 1, page 1 of the original bill and that the original bill be amended by striking out the words and figures "Four Hundred Thousand Six Hundred Twenty-three Dollars (\$400,623)" at line 18, page 1, Section 1, and inserting in lieu thereof the words and figures "Three Hundred Fifty-eight Thousand Six Hundred Dollars (\$358,600)."

That said bill be further amended by striking out the House amendment to the original bill at line 22 of Section 1, page 1, and that the original bill be amended by striking out the words and figures "Two Hundred Thirty-four Thousand Three Hundred Forty-eight Dollars (\$234,348.00)" and in-



serting in lieu thereof the words and figures "Two Hundred Six Thousand Five Hundred Dollars (\$206,500)."

That said bill be further amended by striking out the House amendment at line 29 of Section 1, page 1 of the original bill and that the original bill be amended at line 29, by striking out the words and figures "Eighty-one Thousand Two Hundred Sixteen Dollars (\$81,216)" and inserting in lieu thereof the words and figures "Seventy-four Thousand Six Hundred Dollars (\$74,600)."

That said bill be further amended at line 26 of the original bill at Section 1, page 1 by striking out the words and figures "Forty-three Thousand One Hundred Sixty-five Dollars (\$43,165)" and inserting in lieu thereof the words and figures "Forty-one Thousand Three Hundred Dollars (\$41,300)."

That said bill be amended by striking out the House amendment at line 10, Section 2, page 2 of the original bill, and that the original bill be amended by striking out the words and figures "Four Hundred Thousand Six Hundred Twenty-three Dollars (\$400,623)" and inserting in lieu thereof the words and figures "Three Hundred Fifty-eight Thousand Six Hundred Dollars (\$358,600)" in line 10, page 2 of Section 2.

That said bill be further amended by striking out the House amendment to the original bill at line 13, page 2, Section 2, and the the original bill be amended by striking out the words and figures "Two Hundred Thirty-four Thousand Three Hundred Forty-eight Dollars (\$234,348)" and inserting in lieu thereof the words and figures "Two Hundred Six Thousand Five Hundred Dollars (\$206,500)."

That said bill be further amended by striking out the words and figures in line 26, Section 2, page 2 of the original bill "Forty-three Thousand One Hundred Sixty-five Dollars (\$43,165)" and insert in lieu thereof the words and figures "Forty-one Thousand Three Hundred Dollars (\$41,300)."

That said bill be further amended by striking out the House amendment at line 21, page 2, Section 2 of the original bill and that the original bill be amended at line 21 by striking out the words and figures "Eighty-one Thousand Two Hundred Sixteen Dollars (\$81,216)" and insert in lieu thereof the words and figures "Seventy-four Thousand Six Hundred Dollars (\$74,600)."

And as so amended said bill be concurred in.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, March 5, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 453 was this day read third time and concurred in as amended, title agreed to, and same is herewith returned to the House for concurrence in Senate amendments.

Respectfully,

J. F. CONE, Secretary of Senate.

### CONSIDERATION OF GENERAL ORDERS

Moved by Flachsenhar, duly seconded and carried, that House resolve itself into Committee of the Whole for Consideration of General Orders under the rules of the previous sitting.

Mr. Keeley in the chair.

The committee arose.

Mr. Speaker in the chair.

The Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration Bills on General Orders, respectfully report as follows: That

House Bill No. 453—Senate amendments be not concurred in and a conference committee be requested.

House Bill No. 451—Senate amendments be not concurred in and a conference committee be requested.

W. E. KEELEY, Chairman.

On motion of Keeley, report adopted.

The Speaker named the following Conference Committees:

As to House Bill No. 453: Duncan of Cascade, Parkin of Gallatin, Nagle of Lewis and Clark.

As to House Bill No. 451: Hanson of Daniels, Gordon of Big Horn, Besancon of Missoula.

By unanimous consent of the House, Masters was excused for the remainder of the session.

Moved by Ruffcorn, duly seconded and carried, that Castles be excused for the remainder of the session.

Moved by Beadle, duly seconded and carried, that Higham be excused for the remainder of the session.

Moved by White, duly seconded and carried, that Fletcher be excused for the remainder of the session.

Moved by Ruffcorn, duly seconded and carried, that McCarty be excused for the remainder of the session.

Moved by Nagle, duly seconded and carried, that House recess subject to call of the chair.

House resumed.

Mr. Speaker in the chair.

The Enrolling Committee reported as follows:

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled:

House Bills Nos. 450, 126, 278, 457 and 35.

McAFEE, Chairman.

The Speaker gave notice to the House that he was about to sign House Bills Nos. 35, 278, 126, 450 and 457, and thereupon signed the same.

## CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

The following messages were received from the Senate:

Helena, Montana, March 5, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that, on motion duly made and seconded, the Senate refuses to appoint any more conference committees on House Bill No. 451.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, March 5, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that, on motion duly made and carried, further conference on House Bills Nos. 452 and 453 be postponed.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, March 5, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Finance and Claims report that House Bill No. 462 be amended as follows:

Amend by striking out the words and figures Ten Thousand Dollars (\$10,000.00) in the first line of Section 1 of said bill and inserting in lieu thereof the words and figures "Five Thousand Dollars (\$5,000.00).

And, as so amended, the bill be concurred in.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, March 5, 1925.

Mr. Speaker: The Committee of the Whole, having had under consideration Business on General File, respectfully report and recommend as follows:

That House Bill No. 462 be concurred in.

That House Bill No. 447 be amended in Section 4 by striking out said section and numbering Section 5 as Section 4, and as so amended, recommend same be concurred in.

Report adopted.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, March 5, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 462 was this day read third time and concurred in as amended, title agreed to, and same is herewith returned to the House for concurrence in Senate amendments.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, March 5, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 447 was this day read third time and concurred in as amended, title agreed to, and same is herewith returned to the House for concurrence in Senate amendments.

Respectfully,

J. F. CONE, Secretary of Senate.

#### REPORTS OF SELECT COMMITTEES

The following reports were received from Conference Committees:

Mr. Speaker: We, the House members of the Joint Conference Committee appointed to consider the Senate amendments to House Bill No. 453, respectfully report that the committee has been unable to agree, and we request that we be discharged, that another conference committee be appointed from the House and that the House request another conference committee to be appointed by the Senate.

DUNCAN,  
PARKIN,  
NAGLE.

On motion of Nagle, report adopted.

Mr. Speaker: We, a conference Committee appointed to consider with a like Senate committee, Senate amendments to House Bill No. 452, beg to report that we have agreed that we are unable to arrive at an agreement with the Senate committee regarding said amendments. We return the bill herewith and request that we be discharged.

O. M. WOLD,

HARRY C. DONALDSON.

On motion of Wold, report adopted.

Mr. President and Mr. Speaker: We, your Conference Committee appointed from the House and Senate to confer on Senate amendments on House Bill No. 451, beg leave to report as follows: That the House committee accepts the Senate amendments.

PAULINE,  
TAYLOR,  
GRIFFIN.

HANSON,  
GORDON,  
BESANCON.



The above report was adopted by the following vote:

Ayes: Akofer, Anderson, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Campbell, Clarke, Davis, Donaldson, Doran, Duncan, Fairgrieve, Flachsenhar, Flynn, Fox, Gordon, Green, Hanson, Hardcastle, Harris, Hawley, Hedrick, Hoffman, Holt, Holton, Joffray, Johnson (Fergus), Keeley, Kelly, Kennedy, Kinville, Larson (Cascade), Larson (Sheridan), Meagher, Merritt, Miller, Morris, Moss, Moulton, Mulholland, Murphy, McGrath, Nagle, Nelson, Patterson, Plank, Plumer, Ruffcorn, Rupert, Shields, Smith (Beaverhead), Tinsley, Waite, Walker, White, Wold, Woods, Zeh, Mr. Speaker. Total—62.

Noes: Eaton, Johnson (Valley), Leavens, McAfee, Parkin, Ryder, Sales, Schoening, Steeves, Walton. Total—10.

Absent and not voting: Ainsworth, Andrus, Burns, Caplis, Castles, Cusick, Dellwo, Fitzgarrald, Fitzgerald, Fletcher, Graybill, Higham, Larsen (Sheridan), Lemmon, Lincoln, Loble, Masters, Moriarity, McCarty, Nelstead, Peat, Peterson, Reed, Rice, Smith (Lewis and Clark), Stoddard, Strange, Throssel, Troy, Wuerthner. Total—30.

There being no objections, House reverted to Order of Business No. 6:

### MOTIONS AND RESOLUTIONS

Moved by Anderson, duly seconded, that House concur in Senate amendments to House Bill No. 452.

Question arising on motion by Anderson, roll call having been demanded, same was lost by the following vote:

Ayes: Akofer, Anderson, Beadle, Cusick, Doran, Fitzgerald, Fox, Hardcastle, Joffray, Kelly, Kinville, Larson (Sheridan), Lincoln, Miller, Mulholland, Murphy, McGrath, Plumer. Total—18.

Noes: Andrus, Bergstrom, Berryman, Besancon, Brandt, Budas, Campbell, Clarke, Davis, Dellwo, Donaldson, Duncan, Eaton, Fairgrieve, Flachsenhar, Flynn, Gordon, Graybill, Green, Hanson, Harris, Hawley, Hedrick, Hoffman, Holt, Holton, Johnson (Fergus), Johnson (Valley), Keeley, Kennedy, Larson (Cascade), Leavens, Meagher, Merritt, Morris, Moss, Moulton, McAfee, Nagle, Nelson, Parkin, Patterson, Peat, Peterson, Plank, Reed, Ruffcorn, Rupert, Ryder, Sales, Schoening, Shields, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Throssel, Tinsley, Waite, Walker, Walton, White, Wold, Woods, Wuerthner, Zeh, Mr. Speaker. Total—66.

Absent and not voting: Ainsworth, Burns, Caplis, Castles, Fitzgarrald, Fletcher, Higham, Larsen (Sheridan), Lemmon, Loble, Masters, Moriarity, McCarty, Nelstead, Rice, Stoddard, Strange, Troy. Total—18.

The Speaker announced the following committee to consider Senate amendments to House Bill No. 452: Johnson of Fergus, Ruffcorn of Valley, Joffray of Jefferson.

The Speaker announced the following committee to consider Senate amendments to House Bill No. 453: Leavens of Yellowstone, Reed of Broadwater, Bergstrom of Fallon.

Moved by Nagle, duly seconded and carried, that House recess subject to call of chair.

House resumed.

Mr. Speaker in the chair.

### REPORT OF SELECT COMMITTEE

The following report was received from Conference Committee on Senate amendments to House Bill No. 452:

Mr. President and Mr. Speaker: We, your Conference Committee on House Bill No. 452, beg leave to submit the following report:

That to Senate amendment to Section 2, after the words "for the payment of installment on contracts for the purchase of lands or other real

property, for the use of the State prison, Ten Thousand Dollars (\$10,000.00)," add the following:

"Provided further, that in no event and under no circumstances, shall the total purchase price of the said real estate exceed the sum of Sixty-five Thousand Dollars (\$65,000.00)," and as so amended, that the Senate amendments be concurred in.

ADAMS,  
HAZELBAKER,  
Senate Conference Committee.

A. C. JOHNSON,  
RUFFCORN,  
JOFFRAY,

House Conference Committee.

There being no objections from the House, the Conference Committee recalled their report for further consideration.

House recessed subject to call of the chair.

House resumed.

Mr. Speaker in the chair.

The following report was received from Conference Committee on Senate amendments to House Bill No. 452:

Mr. President and Mr. Speaker: We, your Conference Committee on House Bill No. 452, beg leave to submit the following report:

That the Senate amendment to Section 1 be amended by adding thereto after the words, "and for that purposes may enter into such contracts as shall be necessary for the purchase of said farm lands or other real property as in their judgment shall be to the best interests of the State of Montana."

The following provided further: "That in no event and under no circumstances shall the total purchase price of said real estate exceed the sum of Sixty-five Thousand (\$65,000) Dollars."

Further amend Senate bill amendment to Section 2 by adding after the words, "For the payment of installments on contract" the following:

"Which have heretofore been entered into under the provisions of this Act."

And as so amended said bill be concurred in.

W. K. ADAMS,  
HAZELBAKER,  
ALBERT JOHNSON,  
RUFFCORN,  
JOFFRAY.

The above report failed to be adopted by the following vote:

Ayes: Akofer, Anderson, Beadle, Besancon, Budas, Cusick, Doran, Fitzgerald, Flynn, Fox, Hanson, Hardcastle, Hawley, Hedrick, Hoffman, Joffray, Johnson (Fergus), Keeley, Kelly, Kinville, Larson (Sheridan), Lincoln, Meagher, Miller, Moriarity, Moulton, Mulholland, Murphy, McGrath, Nelson, Plumer, Ruffcorn, Rupert, Sales, Steeves, Stoddard, Walker, White, Mr. Speaker. Total—39.

Noes: Andrus, Bergstrom, Brandt, Campbell, Clarke, Davis, Dellwo, Donaldson, Duncan, Eaton, Fairgrieve, Flachsenhar, Gordon, Graybill, Green, Harris, Holt, Holton, Johnson (Valley), Kennedy, Larson (Cascade), Leavens, Merritt, Morris, Moss, McAfee, Nagle, Parkin, Patterson, Peat, Peterson, Plank, Reed, Rice, Ryder, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Throssel, Waite, Walton, Wold, Woods, Zeh. Total—44.

Absent and not voting: Ainsworth, Berryman, Burns, Caplis, Castles, Fitzgarrauld, Fletcher, Higham, Larsen (Sheridan), Lemmon, Loble, Masters, McCarty, Nelstead, Shields, Strange, Tinsley, Troy, Wuerthner, Total—19.

Moved by Johnson of Fergus, duly seconded, and carried, that Conference Committee on House Bill No. 452 be discharged.

The following report was received from Conference Committee on Senate amendments to House Bill No. 453:

Mr. Speaker: We, your Conference Committee on House Bill No. 453, appointed to confer on this House bill, beg leave to report as follows:

That the Senate amendment at line 18 of Section one (1) be amended by striking out the words and figures of \$358,600.00 and inserting in lieu thereof the words and figures, \$356,100.00.

That the Senate amendment on line 22 of Section 1, of the original bill be amended by striking out the words and figures \$206,500.00, and inserting in lieu thereof the words and figures \$204,000.00.

That the Senate amendment, line 29, Section 1, be amended by striking out the words and figures, \$74,600.00, and inserting in lieu thereof the words and figures, \$79,600.00.

That the Senate amendment, line 10, Section 2, of the original bill be amended by striking out the words and figures \$358,600.00, and inserting in lieu thereof the words and figures \$356,100.00.

That the Senate amendment, line 13, Section 2, be amended by striking out the words and figures, \$206,500, and inserting in lieu thereof the words and figures \$204,000.00.

That the Senate amendment, line 21, Section 2 of the original bill be amended by striking out the words and figures \$74,600.00 and inserting in lieu thereof the words and figures, \$79,600.00.

And that the balance of the Senate amendments be concurred in.

ADAMS,  
GREEN,  
GILBOE,

Senate.

LEAVENS,  
BERGSTROM,  
REED,

House.

The above report failed to be adopted by the following vote:

Ayes: Akofer, Anderson, Beadle, Bergstrom, Besancon, Budas, Cusick, Davis, Doran, Fitzgerald, Fox, Green, Harcastle, Holton, Joffray, Kelly, Kennedy, Kinville, Larson (Sheridan), Lincoln, Meagher, Miller, Moriarity, Mulholland, Murphy, Plumer, Reed, Steeves, Stoddard, Tinsley. Total—30.

Noes: Andrus, Berryman, Brandt, Burns, Campbell, Clarke, Dellwo, Donaldson, Duncan, Eaton, Fairgrieve, Flachsenhar, Flynn, Gordon, Graybill, Hanson, Harris, Hawley, Hedrick, Holt, Johnson (Fergus), Johnson (Valley), Keeley, Larson (Cascade), Leavens, Merritt, Morris, Moss, Moulton, McAfee, Nagle, Nelson, Parkin, Peat, Peterson, Plank, Rice, Ruffcorn, Rupert, Ryder, Sales, Smith (Lewis and Clark), Smith (Beaverhead), Throssel, Waite, Walker, Walton, White, Wold, Woods, Zeh, Mr. Speaker. Total—52.

Absent and not voting: Ainsworth, Caplis, Castles, Fitzgarrauld, Fletcher, Higham, Hoffman, Larsen (Sheridan), Lemmon, Loble, Masters, McCarty, McGrath, Nelstead, Patterson, Schoening, Shields, Strange, Troy, Wuerthner. Total—20.

Moved by Leavens, duly seconded and carried, that Conference Committee on Senate amendments to House Bill No. 453 be discharged.

There being no objections, House reverted to Order of Business No. 7:

## CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

The following message was received from the Senate:



Helena, Montana, March 5, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that, on motion duly made and carried, the Senate requests the return of House Bill No. 456, immediately.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, March 5, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 424 was this day read three several times, concurred in, title agreed to and is herewith returned to the House, and also House Bill No. 460, introduced by Committee on Appropriations was this day read three several times and concurred, title agreed to and is herewith returned to the House.

Respectfully,

J. F. CONE, Secretary of Senate.

There being no objections, House reverted to Order of Business No. 6:

### MOTIONS AND RESOLUTIONS

Moved by Flachsenhar. duly seconded and carried, that request of Senate for return of House Bill No. 456 be granted in due time.

### CONSIDERATION OF GENERAL ORDERS

Moved by Holt, duly seconded and carried, that House resolve itself into Committee of the Whole for Consideration of General Orders, under the rules of the previous sitting.

Moss in the chair.

The committee arose.

Mr. Speaker in the chair.

The Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration Bills on General Orders, respectfully report as follows: That

House Bill No. 462—Senate amendments be concurred in.

House Bill No. 447—Senate amendments be not concurred in and a conference committee be requested.

MOSS, Chairman.

Helena, Montana, March 5, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee of the Whole, having had under consideration Business on General File, recommend and report that House Bill No. 448 be amended as follows:

Amend Section 3 by striking out Section 3 and renumbering the other sections to conform therewith, and, as amended, it be concurred in.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, March 5, 1925.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 448, having been read three several times, concurred in as amended, title agreed to, is herewith returned to the House for concurrence in Senate amendments.

Respectfully,

J. F. CONE, Secretary of Senate.

There being no objections, House reverted to Order of Business No. 6:

## MOTIONS AND RESOLUTIONS

Moved by Hanson, duly seconded and carried, that House reconsider its action in adopting Conference Committee report on Senate amendments to House Bill No. 451.

## CONSIDERATION OF GENERAL ORDERS

Moved by Davis, duly seconded and carried, that House resolve itself into Committee of the Whole for Consideration of General Orders under the rules of the previous sitting.

Mr. Davis in the chair.

The committee arose.

Mr. Speaker in the chair.

The Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration Bills on General Orders, respectfully report as follows: That

House Bill No. 448—Senate amendments be not concurred in and a conference committee be requested.

DAVIS, Chairman.

On motion of Davis, report adopted.

The Speaker named the following Conference Committee to consider Senate amendments to House Bill No. 448: Johnson of Valley, Reed of Broadwater, Nagle of Lewis and Clark.

On motion of Moss, report adopted.

The Enrolling Committee reported as follows:

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled:

House Bills Nos. 460, 424, 458, 451 and 435.

McAFEE, Chairman.

The Speaker gave notice that he was about to sign House Bills Nos. 460, 424, 458, 451, 435, and thereupon signed the same.

There being no objections, House reverted to Order of Business No. 6:

## MOTIONS AND RESOLUTIONS

Moved by Flachsenhar, duly seconded and carried, that House Bill No. 462 be considered properly engrossed and placed on Third Reading.

## THIRD READING OF HOUSE BILLS

Senate amendments to House Bill No. 462 were concurred in by the following vote:

Ayes: Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Campbell, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgerald, Flachsenhar, Flynn, Fox, Graybill, Green, Harris, Hawley, Hedrick, Hoffman, Holt, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kennedy, Kinville, Larson (Cascade), Larson (Sheridan), Leavens, Lincoln, Meagher, Merritt, Miller, Moriarity, Morris, Moss, Moulton, Mulholland, Murphy, McAfee, McGrath, Nagle, Parkin, Peat, Peterson, Plank, Plumer, Reed, Rupert, Ryder, Sales, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Throssel, Tinsley, Waite, Walker, White, Wold, Woods, Zeh, Mr. Speaker. Total—76.

Noes: None.

Absent and not voting: Ainsworth, Burns, Caplis, Castles, Fitzgarrald, Fletcher, Gordon, Hanson, Hardcastle, Higham, Holton, Larsen (Sheridan),

Lemmon, Loble, Masters, McCarty, Nelson, Nelstead, Patterson, Rice, Ruffcorn, Shields, Strange, Troy, Walton, Wuerthner. Total—26.

The following members were named by the Speaker on Conference Committee to consider Senate amendments to House Bill No. 447: Donaldson of Choteau, Eaton of Yellowstone, Peterson of Glacier.

On motion of Johnson of Fergus, House recessed subject to call of chair.  
House resumed.

Mr. Speaker in the chair.

There being no objections, House reverted to Order of Business No. 7:

#### CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

The following messages were received from the Senate:

The Speaker named the following Conference Committee to consider Senate amendments to House Bill No. 456: Andrus of Custer, Gordon of Big Horn, Kinville of Silver Bow.

On reconsideration of report of Conference Committee on Senate amendments to House Bill No. 451, the House failed to adopt the report by the following vote:

Ayes: Akofer, Anderson, Beadle, Bergstrom, Budas, Cusick, Fitzgerald, Fox, Hardcastle, Joffray, Kelly, Larson (Sheridan), Lincoln, Meagher, Miller, Moriarity, Mulholland, Murphy, McGrath, Plumer, Steeves, Stoddard, Tinsley. Total—23.

Noes: Andrus, Berryman, Besancon, Burns, Clarke, Davis, Doran, Duncan, Eaton, Fairgrieve, Flachsenhar, Flynn, Gordon, Graybill, Green, Hansan, Harris, Hawley, Hedrick, Holt, Holton, Johnson (Fergus), Johnson (Valley), Kennedy, Kinville, Larson (Cascade), Leavens, Merritt, Morris, Moss, Moulton, McAfee, Nagle, Nelson, Parkin, Peat, Reed, Rice, Ruffcorn, Rupert, Ryder, Sales, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Throssel, Waite, Walker, Walton, White, Wold, Woods, Wuerthner, Zeh. Mr. Speaker. Total—56.

Absent and not voting: Ainsworth, Campbell, Caplis, Castles, Dellwo, Donaldson, Fitzgarrald, Fletcher, Higham, Hoffman, Keeley, Larsen (Sheridan), Lemmon, Loble, Masters, McCarty, Nelstead, Patterson, Peterson, Plank, Shields, Strange, Troy. Total—23.

There being no objections, House reverted to Order of Business No. 6:

#### MOTIONS AND RESOLUTIONS

Moved by Hanson, duly seconded and carried, that Conference Committee on Senate amendments to House Bill No. 451 be discharged and a new committee be appointed.

The Speaker named the following Conference Committee on Senate amendments to House Bill No. 451: Davis of Wibaux, Parkin of Gallatin, Besancon of Missoula.

There being no objections, Mr. Wuerthner was excused to take his wife home on account of her being sick.

Moved by Nelson, duly seconded and carried, that House recess subject to call of the chair.

House resumed.

Mr. Speaker in the chair.

#### MOTIONS AND RESOLUTIONS

Moved by Ruffcorn, duly seconded and carried, that all Conference Committees be recalled and discharged.

Moved by Ruffcorn, duly seconded and carried, that chair appoint a General Conference Committee of three members from the House to act with a like committee from the Senate for consideration of Senate amendments to House Bills Nos. 451, 452, 453, 456, 447 and 448.



Moved by Davis, duly seconded and carried, that Chief Clerk and Sergeant-at-Arms be instructed to certify to the State Auditor the payroll of the employees for the calendar days they are held in addition to the one day's pay provided for by resolution heretofore offered. The clerks have all been discharged excepting those whom we have found necessary to keep on.

The Speaker appointed the following members on the General Conference Committee to consider House Bills Nos. 451, 452, 453, 456, 447 and 448: Johnson of Fergus, Holt of Cascade, Besancon of Missoula.

Moved by Joffray, duly seconded and carried, that House recess subject to call of chair.

House resumed.

Mr. Speaker in the chair.

The following general report was received from Conference Committee appointed to consider House Bills Nos. 451, 452, 453, 456, 447 and 448:

Mr. President and Mr. Speaker: We, your Joint Conference Committee to whom were referred House Bills Nos. 447, 448, 451, 452, 453, and 456, beg leave to submit separate reports on each bill with the understanding that the rejection of any one of the Joint Conference reports by either the Senate or the House respectively is a rejection of all of the reports.

PAUL,  
CONSER,  
HAZELBAKER,  
Senate Committee.

ALBERT JOHNSON,  
C. F. HOLT,  
BESANCON,

House Committee.

On motion of Holt, general report adopted.

The following report was received from the committee on House Bill No. 451:

Mr. President and Mr. Speaker: We, your Joint Conference Committee appointed on House Bill No. 451, beg leave to report and recommend as follows:

That the Senate recede from its amendment at line 8, page 2, Section 1, of the original bill with reference to farm extension work and that said original bill be amended at line 8, page 2, Section 1, by striking out the words and figures Ninety-two Thousand Eight Hundred Ten Dollars (\$92,810.00) and inserting in lieu thereof the words and figures Eighty Thousand Five Hundred Sixty Dollars (\$80,560.00).

That said bill be further amended as follows, to-wit:

That the Senate recede from its amendment to the original bill at line 10, page 3, Section 2, with reference to farm extension work and that the original bill be amended at line 10, page 3, Section 2, by striking out the words and figures Ninety-seven Thousand Two Hundred Ten Dollars (\$97,210.00) and inserting in lieu thereof the words and figures Eighty-four Thousand Three Hundred Seventy-nine Dollars (\$84,379.00).

And that the House concurs in all other Senate amendments.

PAUL,  
CONSER,  
HAZELBAKER,  
ALBERT JOHNSON,  
C. F. HOLT,  
BESANCON.

The above report was adopted by the following vote:

Ayes: Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgerald, Flachsenhar, Flynn, Graybill, Green, Hardcastle, Harris, Hawley, Hedrick, Hoffman, Holt, Holton, Joffray, Johnson (Fergus), Keeley, Kelly, Kennedy, Kinville, Larson (Cascade), Larson (Sheridan), Leavens, Lincoln, Meagher, Merritt, Miller, Moriarity, Morris, Moss, Moulton, Mulholland, Murphy, McAfee, Nagle, Nelson, Parkin, Peat, Peterson, Plank, Plumer, Reed, Rice, Ruffcorn, Rupert, Ryder, Sales, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Throssel, Tinsley, Waite, Walker, Walton, White, Wold, Woods, Zeh, Mr. Speaker. Total—79.

Noes: Gordon. Total—1.

Absent and not voting: Ainsworth, Caplis, Castles, Fitzgarrald, Fletcher, Fox, Hanson, Higham, Johnson (Valley), Larsen (Sheridan), Lemmon, Loble, Masters, McCarty, McGrath, Nelstead, Patterson, Schoening, Shields, Strange, Troy, Wuerthner. Total—22.

The following report was received on House Bill No. 452:

Mr. President and Mr. Speaker: We, your Joint Conference Committee appointed on House Bill No. 452 beg leave to report and recommend as follows:

That the Senate recede from Senate amendment to Section 1, page 2, line 9, of the original bill referring to Montana State prison, and also that the Senate recede from Senate amendment to Section 2, page 3, line 17, with reference of Montana State prison and that the House concur in all other Senate amendments.

PAUL,  
CONSER,  
HAZELBAKER,  
ALBERT JOHNSON,  
C. F. HOLT,  
BESANCON.

The above report was adopted by the following vote:

Ayes: Akofer, Anderson, Andrus, Beadle, Bergstrom, Berryman, Besancon, Brandt, Budas, Burns, Campbell, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgerald, Flachsenhar, Fox, Gordon, Graybill, Green, Hanson, Hardcastle, Harris, Hawley, Hedrick, Hoffman, Holt, Holton, Joffray, Johnson (Fergus), Keeley, Kelly, Kennedy, Kinville, Larson (Cascade), Larson (Sheridan), Leavens, Lincoln, Meagher, Merritt, Moriarity, Morris, Moss, Moulton, Mulholland, Murphy, McAfee, Nagle, Nelson, Parkin, Peat, Peterson, Plank, Plumer, Reed, Rice, Ruffcorn, Rupert, Ryder, Sales, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Throssel, Tinsley, Waite, Walker, Walton, White, Wold, Woods, Zeh, Mr. Speaker. Total—80.

Noes: None.

Absent and not voting: Ainsworth, Caplis, Castles, Fitzgarrald, Fletcher, Flynn, Higham, Johnson (Valley), Larsen (Sheridan), Lemmon, Loble, Masters, Miller, McCarty, McGrath, Nelstead, Patterson, Schoening, Shields, Strange, Troy, Wuerthner. Total—22.

The following report was received on House Bill No. 453:

Mr. President and Mr. Speaker: We, your Joint Conference Committee, report on House Bill No. 453, as follows:

That the Senate amendment to Section 1, page 1, line 29, be amended by striking out the words and figures Seventy-four Thousand Six Hundred Dollars (\$74,600.00) and inserting in lieu thereof the words and figures Seventy-six Thousand Six Hundred Dollars (\$76,600.00).

Also that Senate amendment to Section 2, page 2, line 21, with reference to the State Normal College, be amended by striking out the words and figures Seventy-four Thousand Six Hundred Dollars (\$74,600.00) and

inserting in lieu thereof the words and figures Seventy-six Thousand Six Hundred Dollars (\$76,600.00).

And that the House concur in all other Senate amendments.

PAUL,  
CONSER,  
HAZELBAKER,  
ALBERT JOHNSON,  
C. F. HOLT,  
BESANCON.

The above report was adopted by the following vote:

Ayes: Akofer, Anderson, Andrus, Beadle, Bergstrom, Besancon, Brandt, Budas, Cusick, Davis, Dellwo, Doran, Fitzgerald, Flynn, Fox, Green, Hanson, Hardcastle, Harris, Hawley, Hedrick, Hoffman, Holt, Holton, Joffray, Johnson (Fergus), Johnson (Valley), Keeley, Kelly, Kennedy, Kinville, Larson (Cascade), Larson (Sheridan), Lincoln, Meagher, Miller, Moriarity, Morris, Moss, Moulton, Mulholland, Murphy, McAfee, Nelson, Parkin, Peterson, Plank, Plumer, Reed, Rice, Ruffcorn, Rupert, Ryder, Sales, Steeves, Stoddard, Tinsley, Waite, Walker, Walton, White, Woods, Mr. Speaker. Total—63.

Noes: Berryman, Burns, Campbell, Clarke, Donaldson, Duncan, Eaton, Fairgrieve, Flachsenhar, Gordon, Graybill, Leavens, Merritt, Nagle, Peat, Smith (Lewis and Clark), Throssel, Wold, Zeh. Total—19.

Absent and not voting: Ainsworth, Caplis, Castles, Fitzgarrald, Fletcher, Higham, Larsen (Sheridan), Lemmon, Loble, Masters, McCarty, McGrath, Nelstead, Patterson, Schoening, Shields, Strange, Troy, Wuerthner. Total—19.

Present and not voting: Smith (Beaverhead). Total—1.

The following report was received on House Bill No. 456:

To the President of the Senate and the Speaker of the House: We, your Joint Conference Committee on House Bill No. 456, being: A Bill for an Act entitled: "An Act appropriating money for the maintenance of certain State departments, and for the payment of certain obligations incurred by the State of Montana," beg leave to report and recommend:

That the Senate recede from its amendment striking out lines 16, 17 and 18 of page 2 of the original bill and change the words and figures "Eleven Thousand Four Hundred Thirty-three Dollars Six Cents (\$11,433.06)" to read "Five Thousand One Hundred Four Dollars Six Cents (\$5,104.56)" and that the House concur in the balance of the Senate amendments.

PAUL,  
CONSER,  
HAZELBAKER,  
ALBERT JOHNSON,  
C. F. HOLT,  
BESANCON.

The above report was adopted by the following vote:

Ayes: Akofer, Anderson, Andrus, Beadle, Bergstrom, Besancon, Brandt, Budas, Burns, Campbell, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fitzgerald, Flachsenhar, Flynn, Fox, Gordon, Graybill, Green, Hanson, Hardcastle, Harris, Hawley, Hedrick, Hoffman, Holt, Holton, Joffray, Johnson (Fergus), Keeley, Kelly, Kennedy, Kinville, Larson (Cascade), Larson (Sheridan), Leavens, Lincoln, Meagher, Merritt, Miller, Moriarity, Morris, Moss, Moulton, Murphy, Nelson, Parkin, Peat, Peterson, Plank, Plumer, Reed, Rice, Ruffcorn, Rupert, Ryder, Sales, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Throssel, Tinslev, Waite, Walker, Walton, White, Wold, Woods, Zeh, Mr. Speaker. Total—77.

Noes: Berryman, Fairgrieve. Total—2.



Absent and not voting: Ainsworth, Caplis, Castles, Fitzgarrald, Fletcher, Higham, Johnson (Valley), Larsen (Sheridan), Lemmon, Loble, Masters, Mulholland, McAfee, McCarty, McGrath, Nagle, Nelstead, Patterson, Schoening, Shields, Strange, Troy, Wuerthner. Total—23.

The following report was received on House Bill No. 447:

Mr. President and Mr. Speaker: We, your Joint Conference Committee on House Bill No. 447, having had the same under consideration, report and recommend:

That the Senate recede from Senate amendment to Section 1, page 2, lines 19 to 22 inclusive, with reference to the Attorney General's office; and that the Senate recede from Senate amendment to Section 1, page 4, lines 8 to 15, inclusive, with reference to the Superintendent of Public Instruction.

Also, that the Senate recede from Senate amendment to Section 2, page 5, lines 29 and 30, and on page 6, lines 9 and 10, referring to the Attorney General's office.

And that the Senate recede from Senate amendment, Section 2, page 7, lines 19 to 26 inclusive, with reference to the Superintendent of Public Instruction; and that the House concur in all other Senate amendments.

PAUL,  
CONSER,  
HAZELBAKER,  
ALBERT JOHNSON,  
C. F. HOLT,  
BESANCON.

The above report was adopted by the following vote:

Ayes: Akofer, Anderson, Andrus, Beadle, Bergstrom, Besancon, Brandt, Budas, Burns, Campbell, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Eaton, Fairgrieve, Fitzgerald, Flachsenhar, Flynn, Fox, Gordon, Graybill, Green, Hanson, Hardcastle, Harris, Hawley, Hedrick, Hoffman, Holt, Holton, Joffray, Johnson (Fergus), Kelly, Kennedy, Kinville, Larson (Cascade), Larson (Sheridan), Leavens, Lincoln, Meagher, Merritt, Miller, Moriarity, Morris, Moss, Moulton, Mulholland, Murphy, McAfee, Nagle, Nelson, Parkin, Peat, Peterson, Plank, Plumer, Reed, Rice, Ruffcorn, Rupert, Ryder, Sales, Schoening, Smith (Lewis and Clark), Smith (Beaverhead), Steeves, Stoddard, Throssel, Waite, Walker, Walton, White, Wold, Woods, Zeh, Mr. Speaker. Total—80.

Noes: Berryman, Keeley, Tinsley. Total—3.

Absent and not voting: Ainsworth, Caplis, Castles, Fitzgarrald, Fletcher, Higham, Johnson (Valley), Larsen (Sheridan), Lemmon, Loble, Masters, McCarty, McGrath, Nelstead, Patterson, Shields, Strange, Troy, Wuerthner. Total—19.

The following report was received on House Bill No. 448:

Mr. President and Mr. Speaker: We, your Joint Conference Committee on House Bill No. 448, having had same under consideration, report and recommend:

That Senate amendment, amending line 31 of Section 1, page 2, of the original bill, referring to State Engineer, be amended as follows: That the item "Total Appropriation" listed at Nine Thousand Dollars, be stricken out and the following words inserted in lieu thereof: "Total Appropriation Eleven Thousand Dollars;" that the item listed in "Total Appropriation" as "Traveling expenses Eight Hundred Dollars" be stricken out, and the words "Traveling expenses Twenty-eight Hundred Dollars" be inserted in lieu thereof.

That Senate amendment to Section 1, page 3, referring to the Board of Health, be amended by striking out the words and figures "Total Appropriation \$30,000.00. and inserting in lieu thereof the words and figures "Total Appropriation Thirty-two Thousand Dollars (\$32,000.00)" and strik-

ing out the item "Office Supplies and Expenses \$3,000.00," and inserting in lieu thereof the words and figures "Office Supplies and Expenses Five Thousand Dollars (\$5,000.00)."

Also that Senate amendment to Section 1, page 6, line 7, referring to Department of Agriculture, Labor and Industry, Sub-head "Labor and Publicity," be amended by striking out the words and figures \$5,525.00, and inserting in lieu thereof the words and figures: "Seventy-five Hundred Dollars (\$7,500.00)."

Also that the Senate recede from Senate amendment to Section 1, page 7, line 5, referring to Normal Training in High Schools.

That House Bill No. 448 be amended in Section 1, page 7, line 29, referring to Orthopedic Commission, by striking out the words and figures \$18,500.00, and inserting in lieu thereof the words and figures: Sixteen Thousand Five Hundred Dollars (\$16,500.00).

That Senate amendment, amending line 19 of Section 2, page 10, of the original bill, referring to State Engineer, be amended as follows: That the item "Total Appropriation" listed at Nine Thousand Dollars, be stricken out and the following words inserted in lieu thereof: "Total Appropriation Eleven Thousand Dollars;" that the item listed in "Total Appropriation" as "Traveling expenses Eight Hundred Dollars," be stricken out, and the words "Traveling expenses Twenty-eight Hundred Dollars" be inserted in lieu thereof.

That Senate amendment to Section 2, page 11, referring to the Board of Health, be amended by striking out the words and figures "Total Appropriation \$30,000.00," and inserting in lieu thereof, the words and figures "Total Appropriation Thirty-two Thousand Dollars (\$32,000.00)," and striking out the item "Office Supplies and Expenses \$3,000.00," and inserting in lieu thereof the words and figures "Office Supplies and Expenses Five Thousand Dollars (\$5,000.00)."

Also that Senate amendment to Section 2, page 13, line 15, referring to Department of Agriculture, Labor and Industry, Sub-head "Labor and Publicity," be amended by striking out the words and figures \$5,525.00, and inserting in lieu thereof the words and figures "Seventy-five Hundred Dollars (\$7,500.00)."

Also that the Senate recede from Senate amendment to Section 2, page 14, line 6, referring to Normal Training in High Schools.

That House Bill No. 448 be amended in Section 2, page 14, line 30, referring to Orthopedic Commission, by striking out the words and figures \$18,500.00, and inserting in lieu thereof, the words and figures Sixteen Thousand Five Hundred Dollars (\$16,500.00).

And that the House concur in all other Senate amendments.

PAUL,  
CONSER,  
HAZELBAKER,  
C. F. HOLT,  
BESANCON.

The above report was adopted by the following vote:

Ayes: Akofer, Anderson, Andrus, Beadle, Bergstrom, Besancon, Brandt, Budas, Burns, Clarke, Cusick, Davis, Dellwo, Donaldson, Doran, Duncan, Fitzgerald, Flachsenhar, Flynn, Fox, Graybill, Green, Hanson, Hardcastle, Harris, Hawley, Hedrick, Hoffman, Holt, Johnson (Fergus), Kelly, Kennedy, Kinville, Larson, (Sheridan), Lincoln, Mulholland, Miller, Moriarity, Morris, Moss, Moulton, Meagher, Murphy, McAfee, Nelson, Parkin, Peterson, Plank, Plumer, Reed, Rice, Ruffcorn, Rupert, Ryder, Sales, Smith (Beaverhead), Steeves, Stoddard, Tinsley, Waite, Walker, Walton, White, Woods, Keeley, Mr. Speaker. Total—66.

Noes: Berryman, Campbell, Eaton, Fairgrieve, Gordon, Holton, Jofray, Leavens, Merritt, Nagle, Peat, Smith (Lewis and Clark), Throssel, Wold, Zeh. Total—15.

Absent and not voting: Ainsworth, Caplis, Castles, Fitzgarrauld, Fletcher, Higham, Johnson (Valley), Larsen (Sheridan), Lemmon, Loble, Masters, McCarty, McGrath, Nelstead, Patterson, Schoening, Shields, Strange, Troy, Wuerthner. Total—20.

Present and not voting: Larson (Cascade). Total—1.

House recessed subject to call of chair.

House resumed.

Mr. Speaker in the chair.

The Enrolling Committee reported as follows:

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bills Nos. 451, 453, 452, 447, 456, 448 and 462.

McAFEE, Chairman.

The Speaker gave notice to the House that he was about to sign House Bills Nos. 452, 447, 456, 451, 453, 462 and 448, and thereupon signed the same.

Moved by Ruffcorn, duly seconded and carried, that the chair appoint a committee of three members from the House to notify the Senate, the House having completed its work, is about to adjourn sine die.

Moved by Ruffcorn, duly seconded and carried, that the chair appoint a committee of three members from the House to notify His Excellency the Governor that the House, having completed its work and is about to adjourn sine die.

The Speaker appointed the following committees:

To notify the Governor: Kennedy of Granite, Ryder of Roosevelt, Cusick of Flathead.

To notify the Senate: Rupert of Sweet Grass, Merritt of Musselshell, Doran of Silver Bow.

The committee from the Senate appeared and notified the House that the honorable Senate had completed its labors and is ready to adjourn sine die.

Representative Kennedy, chairman of the Committee to Notify the Governor, reported the duty performed, and that His Excellency the Governor desired conveyed to the House his appreciation and thanks for its efforts.

Representative Rupert, chairman of the Committee to Notify the Senate, reported the duty performed.

Moved by Ruffcorn, duly seconded and carried, that the House of Representatives of the Nineteenth Legislative Assembly of the State of Montana do now stand adjourned, sine die, at 11:59 P. M., of the Sixtieth Day.

R. C. BRICKER, Speaker.

Attest: H. J. FAUST, Chief Clerk.















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